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Washington, Saturday, May 8, 1948

## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 9956

#### EXEMPTION OF HARRY B. MITCHELL FROM COMPULSORY RETIREMENT FOR AGE

NOTE: Executive Order 9956, exempting Harry B. Mitchell from compulsory retirement for age, was filed with the Division of the Federal Register as F. R. Doc. 48-4214 on May 6, 1948, at 4:47 p. m.

## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Commodity Credit)

#### PART 245—IRISH POTATOES

##### SUBPART—1948 PRICE SUPPORT PROGRAM

Paragraph (b) of § 245.151 (13 F. R. 2191) is hereby amended by striking that portion of the first sentence preceding the colon and inserting in lieu thereof the following:

§ 245.151 *Eligibility of growers.* \* \* \* (b) No grower shall be eligible for participation in the price support program who sells potatoes of the 1947 crop which he has agreed under the 1947 program to withhold from commercial markets, or who sells from the 1948 crop ungraded or field run potatoes, or potatoes of or below U. S. No. 1 grade or quality, Size B, or U. S. No. 2 grade or quality regardless of size, except as follows:

(Sec. 7 (a), 49 Stat. 4, as amended, sec. 4 (a), 55 Stat. 498, 56 Stat. 768, 15 U. S. C. and Sup. 713 (a), 713a-8, 50 U. S. C. App., Sup., 969; Article Third, paragraph (b), Charter of Commodity Credit Corporation)

[SEAL]

RALPH S. TRIGG,  
Administrator.

MAY 5, 1948.

[F. R. Doc. 48-4155; Filed, May 7, 1948; 8:51 a. m.]

## TITLE 7—AGRICULTURE

### Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 568]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### MODIFICATION OF REQUIREMENTS OF MEXICAN FRUITFLY REGULATIONS; HARVESTING SEASON EXTENDED TO JULY 17, 1948

Notice of proposed rule making was published on April 2, 1948, in the FEDERAL REGISTER (13 F. R. 1817) pursuant to section 4 (a) of the Administrative Procedure Act (60 Stat. 238) regarding a modification of the requirements of § 301.64-5 (a) of the regulations supplemental to the Mexican fruitfly quarantine (7 CFR 1945 Supp., §§ 301.64-1 to 301.64-7, inclusive) to extend the present harvesting season for grapefruit, sweet limes, and "sour" and "bittersweet" oranges in the regulated area. No written data, views or arguments with respect to the proposed rule have been received within the 15-day period specified in the notice.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.64-5 (a) of the regulations supplemental to the Mexican fruitfly quarantine (7 CFR 1945 Supp., §§ 301.64-1 to 301.64-7, inclusive), the following administrative instructions are hereby adopted:

§ 301.64-5d *Administrative instructions; extending harvesting season under requirements of Mexican fruitfly regulations.* The present harvesting season for grapefruit, sweet limes, and "sour" and "bittersweet" oranges in the regulated area is hereby extended from midnight June 15, 1948 until midnight July 17, 1948. The host free period for these fruits shall begin at 12:01 a. m., July 18,

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1948, and continue through the last day of August 1948.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Effective: June 15, 1948.

Done at Washington, D. C., this 20th day of April 1948.

P. N. ANNAND,  
Chief, Bureau of Entomology  
and Plant Quarantine.

[F. R. Doc. 48-4136; Filed, May 7, 1948;  
8:47 a. m.]

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Regulation 273]

#### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATION OF SHIPMENTS

§ 953.380 *Lemon Regulation 273—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., May 9, 1948, and ending at 12:01 a. m., P. s. t., May 16, 1948, is hereby fixed as follows:

(i) District 1: 500 carloads.

(ii) District 2: unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 6th day of May 1948.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing Administration.

#### PRORATE BASE SCHEDULE

##### DISTRICT NO. 1

[12:01 a. m. May 9, 1948, to 12:01 a. m. May 23, 1948]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.307
American Fruit Growers, Inc., Fullerton	.739
American Fruit Growers, Inc., Upland	.301
Hazeltine Packing Co.	.653
Ventura Coastal Lemon Co.	1.319
Ventura Pacific Co.	1.676
Total A. F. G.	4.995

Klink Citrus Association	.133
Lemon Cove Association	.000
Glendora Lemon Growers Association	1.464
La Verne Lemon Association	.884
La Habra Citrus Association, The	2.129
Yorba Linda Citrus Association, The	1.428
Alta Loma Heights Citrus Association	.628
Etiwanda Citrus Fruit Association	.270
Mountain View Fruit Association	.487
Old Baldy Citrus Association	.792
Upland Lemon Growers Association	5.796
Central Lemon Association	1.539
Irvine Citrus Association, The	1.275

#### PRORATE BASE SCHEDULE—Continued

##### DISTRICT NO. 1—continued

Handler	Prorate base (percent)
Placentia Mutual Orange Association	0.794
Corona Citrus Association	.942
Corona Foothill Lemon Company	2.180
Jameson Company	1.415
Arlington Heights Citrus Co.	.888
College Heights Orange & Lemon Association	2.623
Chula Vista Citrus Association, The	1.715
El Cajon Valley Citrus Association	.362
Escondido Lemon Association	3.785
Fallbrook Citrus Association	2.177
Lemon Grove Citrus Association	.634
San Dimas Lemon Association	2.130
Carpinteria Lemon Association	2.149
Carpinteria Mutual Citrus Association	2.415
Goleta Lemon Association	2.606
Johnson Fruit Co.	3.249
North Whittier Heights Citrus Association	1.332
San Fernando Heights Lemon Association	1.407
San Fernando Lemon Association	.756
Sierra Madre-Lamanda Citrus Association	1.508
Tulare County Lemon & Grapefruit Association	.048
Briggs Lemon Association	1.958
Culbertson Investment Company	.411
Culbertson Lemon Association	.863
Fillmore Lemon Association	1.998
Oxnard Citrus Association, Plant No. 1	2.486
Oxnard Citrus Association, Plant No. 2	2.571
Rancho Sespe	1.431
Santa Paula Citrus Fruit Association	3.650
Saticoy Lemon Association	2.194
Seaboard Lemon Association	3.478
Somis Lemon Association	2.553
Ventura Citrus Association	1.285
Limoneira Company	2.763
Teague-McKevett Association	.934
East Whittier Citrus Association	.967
Leffingwell Rancho Lemon Association	1.059
Murphy Ranch Company	2.281
Whittier Citrus Association	1.029
Whittier Select Citrus Association	.395
Total C. F. G. E.	86.246

Chula Vista Mutual Lemon Association	1.077
Escondido Cooperative Citrus Association	.400
Glendora Cooperative Citrus Association	.031
Index Mutual Association	.397
LaVerne Cooperative Citrus Association	2.093
Orange Cooperative Citrus Association	.231
Ventura County Orange & Lemon Association	2.499
Whittier Mutual Orange & Lemon Association	.231
Total M. O. D.	6.959

California Citrus Groves, Inc. Ltd.	.023
Evans Bros. Packing Co.,—Riverside	.052
Flint, Arthur E.	.001
Furr, N. C.	.002
Harding & Leggett	.034
Johnson, Fred	.050
Levinson, Sam	.000
Lorbeer, Carroll W. C.	.000
Orange Belt Fruit Distributors	1.507
Rooke, B. G. Packing Company	.015
San Antonio Orchard Company	.109
Zaninovich Brothers, Inc.	.007
Total Independents	1.800

[F. R. Doc. 48-4213; Filed, May 7, 1948;  
9:01 a. m.]



## RULES AND REGULATIONS

[Orange Regulation 229]

PART 966—ORANGES GROWN IN CALIFORNIA  
AND ARIZONA

## LIMITATION OF SHIPMENTS

§ 966.375 Orange Regulation 229—  
(a) Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) Order. (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., May 9, 1948, and ending at 12:01 a. m., P. s. t., May 16, 1948, is hereby fixed as follows:

(i) Valencia oranges. (a) Prorate District No. 1, 450 carloads; (b) Prorate District No. 2, 200 carloads; (c) Prorate District No. 3, unlimited movement.

(ii) Oranges other than Valencia oranges. Prorate Districts Nos. 1, 2 and 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 6th day of May 1948.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing Administration.

## PRORATE BASE SCHEDULE

[12:01 a. m. May 9, 1948, to 12:01 a. m. May 16, 1948]

## VALENCIA ORANGES

## Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.8015
A. F. G. Porterville	2.3025
Ivanhoe Coop. Association	.4971
Dofflemyer, W. Todd	.5089
Elderwood Citrus Association	1.0194
Exeter Citrus Association	1.4488
Exeter Orange Growers Association	.3643
Hillside Packing Association, The	3.5345
Ivanhoe Mutual Orange Association	
	1.1045
Klink Citrus Association	4.0967
Lemon Cove Association	1.6378
Lindsay Citrus Growers Association	3.2864
Lindsay Coop. Citrus Association	2.2301
Lindsay District Orange Co.	1.5490
Lindsay Fruit Association	2.6539
Lindsay Orange Growers Association	.8480
Orange Cove Citrus Association	2.4290
Orange Cove Orange Growers Association	1.4649
Orange Packing Co.	1.8912
Orosi Citrus Fruit Association	1.3273
Paloma Citrus Fruit Association	.6901
Rocky Hill Citrus Association	2.6504
Sanger Citrus Association	2.0645
Sequoia Citrus Association	.9156
Stark Packing Corp.	4.6204
Visalia Citrus Association	1.6557
Waddell & Sons	2.3473
Orland Orange Growers Association, Inc.	.0475
Baird Neece Corp.	2.2401
Grand View Heights Citrus Association	4.7017
Magnolia Citrus Association	2.3470
Richgrove Jasmine Citrus Association	
	1.1652
Sandilands Fruit Co.	1.2558
Strathmore Coop. Association	3.0490
Strathmore District Orange Association	2.1130
Strathmore Fruit Growers Association	1.9528
Strathmore Packing House Co.	1.1698
Sunflower Packing Association	2.4024
Sunland Packing House Co.	3.6074
Tule River Citrus Association	1.2324
Vandalla Packing Association	.0916
Exeter Groves Packing Co.	.1590
Kroells Brothers, Ltd.	1.6072
Lindsay Mutual Groves	2.1037
Martin Ranch	1.1552
Woodlake Packing House	1.2474
Anderson Packing Co., R. M.	.3627
Baker Brothers	1.0415
Calif. Cit. Groves, Inc., Ltd.	2.8499
Chess Co., Meyer W.	.1406
Furr, N. C.	.2679
Harding & Leggett	2.5752
Lo Bue Brothers	.4185
Marks, W. & M.	.2330
Randolph Marketing Co.	1.2465
Reimers, Don H.	.2322
Rooke Packing Co., B. G.	1.2350
Webb Packing Co., Inc.	.3001
Wollenman Packing Co.	1.7893
Woodlake Heights Packing Corp.	1.3200
Zaninovich Brothers	.3028

## Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.0586
A. F. G. Corona	.2114
A. F. G. Fullerton	.7763
A. F. G. Orange	.5946
A. F. G. Riverside	.1257
A. F. G. San Juan Capistrano	.8712
A. F. G. Santa Paula	.5233

## PRORATE BASE SCHEDULE—Continued

## VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Hazeltine Packing Co.	0.3758
Placentia Pioneer Val. Growers Association	.6751
Signal Fruit Association	.1501
Azusa Citrus Association	.3786
Azusa Orange Co., Inc.	.1286
Damerel-Allison Co.	.8578
Glendora Mutual Orange Association	.3626
Irwindale Citrus Association	.3022
Puente Mutual Citrus Association	.1831
Valencia Heights Orchard Association	.4203
Covina Citrus Association	1.1592
Covina Orange Growers Association	.4893
Duarte-Monrovia Fruit Exchange	.1996
Glendora Citrus Association	.3909
Glendora Hts. O. & L. Association	.0599
Gold Buckle Association	.5966
La Verne Orange Association	.6829
Anaheim Citrus Fruit Association	1.2416
Anaheim Valencia Orange Association	1.3008
Eadington Fruit Co., Inc.	2.5195
Fullerton Mutual Orange Association	1.3761
La Habra Citrus Association	1.0806
Orange County Valencia Association	.8061
Orangethorpe Citrus Association	.9035
Placentia Coop. Orange Association	.7611
Yorba Linda Citrus Association, The	.5961
Alta Loma Heights Citrus Association	.1040
Citrus Fruit Growers	.1560
Cucamonga Citrus Association	.1570
Etiwanda Citrus Fruit Association	.0411
Mountain View Fruit Association	.0159
Old Baldy Citrus Association	.1339
Rialto Heights Orange Association	.0645
Upland Citrus Association	.3869
Upland Heights Orange Growers	.1617
Consolidated Orange Growers	1.7739
Frances Citrus Association	1.1713
Garden Grove Citrus Association	1.4165
Goldenwest Citrus Association, The	1.5231
Irvine Valencia Growers	2.6564
Olive Heights Citrus Association	1.8211
Santa Ana-Tustin Mut. Citrus Association	1.0820
Santiago Orange Growers Association	4.0232
Tustin Hills Citrus Association	1.9691
Villa Park Orchards Association, The	1.6152
Bradford Brothers, Inc.	.6653
Placentia Mutual Orange Association	1.8380
Placentia Orange Growers Association	2.3658
Call Ranch	.0776
Corona Citrus Association	.5621
Jameson Company	.0538
Orange Heights Orange Association	.3728
Crafton Orange Growers Association	.4201
E. Highlands Citrus Association	.0927
Fontana Citrus Association	.1216
Highland Fruit Growers Association	.0492
Redlands Heights Groves	.2868
Redlands Orangedale Association	.3260
Break & Son, Allen	.0544
Bryn Mawr Fruit Growers Association	.2394
Krinard Packing Co.	.3525
Mission Citrus Association	.1481
Redlands Coop. Fruit Association	.3587
Redlands Orange Growers Association	.2647
Redlands Select Groves	.2793
Rialto Citrus Association	.1730
Rialto Orange Co.	.1473



## PRORATE BASE SCHEDULE—Continued

## VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Southern Citrus Association.....	0.1634
United Citrus Growers.....	.1546
Zilen Citrus Co.....	.0990
Arlington Heights Citrus Co.....	.0934
Brown Estate, L. V. W.....	.1572
Gavilan Citrus Association.....	.1747
Hemet Mutual Groves.....	.1004
Highgrove Fruit Association.....	.0821
McDermont Fruit Co.....	.1991
Monte Vista Citrus Association.....	.2081
National Orange Co.....	.0431
Riverside Heights Orange Growers Association.....	.0813
Sierra Vista Packing Association.....	.0685
Victoria Avenue Citrus Association.....	.2281
Claremont Citrus Association.....	.1997
College Heights O. & L. Association.....	.2372
El Camino Citrus Association.....	.0966
Indian Hill Citrus Association.....	.1870
Pomona Fruit Growers Exchange.....	.4633
Walnut Fruit Growers Association.....	.5212
West Ontario Citrus Association.....	.4081
El Cajon Valley Citrus Association.....	.2747
Escondido Orange Association.....	2.6744
San Dimas Orange Growers Association.....	.4771
Andrews Brothers of California.....	.6522
Ball & Tweedy Association.....	.6439
Canoga Citrus Association.....	.9809
North Whittier Heights Citrus Association.....	.9223
San Fernando Fruit Growers Association.....	.6339
San Fernando Heights Orange Association.....	1.0205
Sierra Madre-Lamanda Citrus Association.....	.4146
Camarillo Citrus Association.....	1.3204
Fillmore Citrus Association.....	3.7416
Mupu Citrus Association.....	2.9196
Ojai Orange Association.....	.9834
Piru Citrus Association.....	1.9550
Santa Paula Orange Association.....	1.1099
Tapo Citrus Association.....	1.2180
Llmonera Co.....	.5788
East Whittier Citrus Association.....	.3916
El Ranchito Citrus Association.....	1.0463
Murphy Ranch Co.....	.4547
Rivera Citrus Association.....	.4244
Whittier Citrus Association.....	.6288
Whittier Select Citrus Association.....	.3579
Anaheim Coop. Orange Association.....	1.2536
Bryn Mawr Mutual Orange Association.....	.1195
Chula Vista Mutual Lemon Association.....	.1208
Escondido Coop. Citrus Association.....	.3416
Euclid Avenue Orange Association.....	.4597
Foothill Citrus Union, Inc.....	.0337
Fullerton Coop. Orange Association.....	.4430
Garden Grove Orange Coop., Inc.....	.6723
Glendora Coop. Citrus Association.....	.0519
Golden Orange Groves, Inc.....	.2416
Highland Mutual Groves.....	.0353
Index Mutual Association.....	.2291
La Verne Coop. Citrus Association.....	1.2065
Mentone Heights Association.....	.0772
Olive Hillside Groves.....	.5251
Orange Coop. Citrus Association.....	.9707
Redlands Foothill Groves.....	.5978
Redlands Mutual Orange Association.....	.1669
Riverside Citrus Association.....	.0642
Ventura County O. & L. Association.....	.9154
Whittier Mutual O. & L. Association.....	.1333
Babijuce Corp. of California.....	.4953
Banks Fruit Co.....	.2819
Banks, L. M.....	.5071
Borden Fruit Co.....	.8675
Calif. Associated Growers.....	.0502
California Fruit Distributors.....	.3735
Cherokee Citrus Co., Inc.....	.1627
Chess Co., Meyer W.....	.2539

## PRORATE BASE SCHEDULE—Continued

## VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Escondido Avocado Growers.....	0.0249
Evans Brothers Packing Co.....	.2553
Gold Banner Association.....	.2948
Granada Hills Packing Co.....	.0306
Granada Packing House.....	1.7419
Hill, Fred A.....	.0777
Inland Fruit Dealers.....	.1082
Orange Belt Fruit Distributors.....	1.8751
Panno Fruit Co., Carlo.....	.0083
Paramount Citrus Association, Inc.....	.5284
Placencia Orchard Co.....	.4930
San Antonio Orchard Co.....	.4327
Snyder & Sons Co., W. A.....	.6763
Stephens, T. F.....	.1628
Sunny Hills Ranch, Inc.....	.2613
Wall, E. T.....	.1336
Webb Packing Co.....	.2504
Yorba Orange Growers Association.....	.5153

[F. R. Doc. 48-4212; Filed, May 7, 1948; 9:01 a. m.]

## TITLE 21—FOOD AND DRUGS

## Chapter I—Food and Drug Administration, Federal Security Agency

## PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

## PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

## PROCAINE PENICILLIN FOR AQUEOUS INJECTION

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11; 21 U. S. C., Sup. 357) the regulations for tests and methods of assay of antibiotic drugs (12 F. R. 2215) and certification of batches of penicillin- or streptomycin-containing drugs (12 F. R. 2231), as amended, are hereby further amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.29 *Procaine penicillin for aqueous injection*—(a) *Potency*. Proceed as directed in § 141.1.

(b) *Sterility*. Proceed as directed in § 141.2.

(c) *Moisture*. Proceed as directed in § 141.5 (a).

2. Part 146 is amended by adding the following new section:

§ 146.47 *Procaine penicillin for aqueous injection*—(a) *Standards of identity, strength, quality, and purity*. Procaine penicillin for aqueous injection is a dry mixture of procaine penicillin and one or more suitable and harmless suspending or dispersing agents. Its moisture content is not more than 1.5 percent. It is sterile. The procaine penicillin used conforms to the requirements of § 146.44 (a). Each other substance, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging*. In all cases the immediate containers shall be tight containers as defined by the U. S. P., shall be

sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that, minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in immediate containers of colorless transparent glass which meet the test for glass containers of Type I or Type II prescribed by the U. S. P., closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness; each such container shall contain 300,000 units, 600,000 units, 900,000 units, 1,200,000 units or 1,500,000 units and each may be packaged in combination with a container of the solvent, water for injection U. S. P., dextrose injection 5 percent U. S. P., or physiological salt solution U. S. P.

(c) *Labeling*. Each package shall bear on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container;

(iii) The statement "Expiration date \_\_\_\_\_," the blank being filled in with the date which is 12 months after the month during which the batch was certified; and

(iv) The statement "For Intramuscular Use Only."

(2) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration, including method of preparing the drug for injection;

(iii) The conditions under which such solutions should be stored, and the statement "Sterile solution may be kept at room temperature for one week without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples*. (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of procaine penicillin for aqueous injection shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the procaine penicillin used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising



such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor, if any, by this section. If such batch, or any part thereof, is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (5) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, moisture; and

(ii) The procaine penicillin used in making the batch; potency, sterility, toxicity, pyrogens, moisture, pH, penicillin K content (unless it is procaine penicillin G), crystallinity, and the penicillin G content if it is procaine penicillin G.

(3) Except as otherwise provided by subparagraph (5) of this paragraph, if such batch is packaged for dispensing, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than 8 and not more than 15 immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal;

(ii) The procaine penicillin used in making the batch; 10 packages containing approximately equal portions of not less than 300 milligrams each; packaged in accordance with the requirements of § 146.44 (b);

(iii) In case of an initial request for certification, each suspending and dispersing agent used in making the batch; one package of each containing approximately 5 grams.

(4) If such batch is packed for repackaging, such person shall submit with his request a sample containing 10 approximately equal portions of at least 300 milligrams each taken from different parts of such batch; each such portion shall be packaged in a separate container and in accordance with the requirements of paragraph (b) of this section.

(5) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) Four dollars for each immediate container in the sample submitted in accordance with paragraph (d) (3) and (4) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the require-

ments of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

This order, which provides for the marketing of a new penicillin product, procaine penicillin for aqueous injection, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay the marketing of this new penicillin product.

(52 Stat. 1040, as amended by 59 Stat. 463 and 61 Stat. 11; 21 U. S. C., Sup. 357)

Dated: May 5, 1948.

[SEAL]

OSCAR R. EWING,  
Administrator.

[F. R. Doc. 48-4140; Filed, May 7, 1948;  
8:54 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter II—Federal Savings and Loan System

[No. 699]

#### PART 203—OPERATION

##### APPROVAL OF CONTRACT FORMS

MAY 4, 1948.

Resolved that in accordance with § 201.2 (b) of the rules and regulations for the Federal Savings and Loan System (24 CFR 201.2 (b)), § 203.11 of said regulations (24 CFR 203.11) is hereby amended, effective May 8, 1948, to read as follows:

§ 203.11 *Loan contract.* Each loan shall be evidenced by note, bond, or other instrument and, unless unsecured, shall be secured by such security instrument as is in keeping with sound lending practices in the locality. All loan instruments shall comply with any applicable provisions of law, regulations, and the association's charter.

Resolved further that the aforesaid amendment is hereby found to be one of a minor, technical character of no particular interest to the public and one which relieves certain restrictions, thereby making unnecessary notice and public procedure thereon or deferment of the effective date herein recited.

(Sec. 5 (a), 5 (e), 48 Stat. 132, 133, sec. 4, 60 Stat. 238; 12 U. S. C. 1464 (a), (e), 5 U. S. C. 1003; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

By the Home Loan Bank Board.

[SEAL]

J. FRANCIS MOORE,  
Secretary.

[F. R. Doc. 48-4142; Filed, May 7, 1948;  
8:49 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War, Department of the Interior

### Chapter VIII—Coal Mines Administration, Department of the Interior

#### TERMINATION OF CHAPTERS

1. Chapter VI—Solid Fuels Administration for War, Department of the Interior—is deleted, inasmuch as Executive Order No. 9847 of May 6, 1947 (12 F. R. 3047), terminated the authority of the Solid Fuels Administrator for War to exercise any power or function vested in him by the provisions of Executive Order No. 9332 of April 19, 1943 (3 CFR, Cum. Supp., p. 1270).

2. Chapter VIII—Coal Mines Administration, Department of the Interior—is deleted, the authority of the Secretary of the Interior to seize and hold possession of bituminous coal mines, vested in him by Executive Order No. 9728 of May 21, 1946 (3 CFR, 1946 Supp., p. 133), and Executive Order No. 9758 of July 19, 1946 (3 CFR, 1946 Supp., p. 153), having terminated by reason of the issuance by the President on December 31, 1946, of Proclamation 2714, declaring the end of hostilities in World War II (3 CFR, 1946 Supp., p. 77).

J. A. KRUG,

Secretary of the Interior.

MAY 3, 1948.

[F. R. Doc. 48-4129; Filed, May 7, 1948;  
8:48 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, Department of the Army

#### PART 202—ANCHORAGE REGULATIONS

##### SPECIAL ANCHORAGE AREAS, FLUSHING BAY, N. Y.

Pursuant to the provisions of section 1 of the act of Congress approved April 22, 1940 (54 Stat. 150; 33 U. S. C. 180), § 202.1 (b) is hereby amended by the addition thereto, immediately following the subparagraph relating to Little Neck Bay, The Port of New York, of two subparagraphs designating areas in Flushing Bay, New York, as special anchorage areas wherein vessels not more than sixty-five feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, as follows:

§ 202.1 *Special anchorage areas.*

(b) The areas hereinafter described are designated as special anchorage areas. (All bearings are referred to true meridian.)

*Flushing Bay, north area.* That portion of East River Anchorage No. 10 (as described in § 202.25 (a)), on the east side of Flushing Bay, southward of the prolonged southerly side of 15th Avenue, College Point eastward of a line parallel to and 100 feet eastward of the easterly channel line of the buoyed Federal channel in Flushing Bay, and northward of a line ranging 252° from the center of the



most westerly of four coal hoppers of the Kraemer Coal Company, near the foot of 22d Avenue, College Point, toward Flushing Bay Channel Lighted Buoy 1.

**Flushing Bay, south area.** That portion of East River Anchorage No. 10 (as described in § 202.25 (a)), on the east side of Flushing Bay, southward of a line ranging 232° from the center of the southwesterly of four oil tanks of the Sunrise Oil Company, near the foot of 23d Avenue, College Point, toward Flushing Bay Light 4 at the northerly end of the dike in Flushing Bay, eastward of a line parallel to, and 100 feet eastward of the easterly channel line of the buoyed Federal channel in Flushing Bay, and northward of a line ranging 258° from the northeast corner of the one-story field office building at the entrance to the plant of Metropolitan Sand and Gravel Corporation, Flushing, toward Flushing Bay Channel Buoy No. 7.

[Regs. Apr. 21, 1948, CE 800.212 (Flushing Bay, N. Y.)—ENGWR] (54 Stat. 150; 33 U. S. C. 180)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 48-4126; Filed, May 7, 1948; 8:45 a. m.]

#### PART 202—ANCHORAGE REGULATIONS

##### CHESAPEAKE BAY NEAR CAPE CHARLES, VA.

Pursuant to the provisions of section 7 of the River and Harbor Act approved March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), an explosives and ammunition-handling anchorage is hereby established in Chesapeake Bay approximately seven miles northwest by north of the Town of Cape Charles, Virginia, for occasional use by vessels of the United States Navy, and the § 202.37 in relation thereto is hereby prescribed as follows:

§ 202.37 *Chesapeake Bay near Town of Cape Charles, Va.; Naval explosives and ammunition-handling anchorage—*  
(a) *The anchorage ground—*(1) *Explosives and ammunition-handling area.* That portion of Chesapeake Bay within a circle having a radius of 300 yards with its center at a point bearing 106°00' true, 5.2 miles, from Wolf Trap Light, 66°30' true, 10 miles, from New Point Comfort Light, and 347°30' true, 8.5 miles, from Old Plantation Flats Light.

(2) *Restricted area.* A circle having a radius of 2,000 yards with the same center as the explosives and ammunition-handling area.

(b) *The regulations.* (1) When the explosives and ammunition-handling area is being used by vessels of the United States Navy engaged in ammunition-transfer operations, no other vessel shall enter or remain within the restricted area.

(2) When ammunition-transfer operations are in progress, a naval patrol will be maintained to warn vessels to leave or to remain outside the restricted area. Upon being so warned all vessels within the area shall leave promptly.

(3) This section shall be enforced by the Commandant, Fifth Naval District,

and such agencies as he may designate. [Regs. Apr. 22, 1948, CE 800.2121 (Chesapeake Bay, Va.)—ENGWR] (38 Stat. 1053; 33 U. S. C. 471)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 48-4141; Filed, May 7, 1948; 8:49 a. m.]

## TITLE 46—SHIPPING

### Chapter I—Coast Guard: Inspection and Navigation

Subchapter A—Procedures Applicable to the Public; Shipment and Discharge of Seamen  
[CGFR 48-26]

#### PART 2—VESSEL INSPECTIONS

##### PART 3—MERCHANT VESSEL PERSONNEL

##### NAVIGATION AND VESSEL INSPECTION LAWS, AND SHIPMENT AND DISCHARGE OF SEAMEN

By virtue of the authority vested in me by section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875); Public Law 404, 79th Congress (60 Stat. 237); Public Law 27, 80th Congress, approved March 31, 1947; Public Law 293, 80th Congress, approved July 31, 1947; and Public Law 423, 80th Congress, approved February 27, 1948; the following amendments to the regulations are prescribed and shall be effective on and after July 15, 1948.

Section 2.50-1 (a) is amended to read as follows:

§ 2.50-1 *Waivers—*(a) *Authority for and limitations on issuance.* Compliance with certain of the navigation and vessel inspection laws may be waived by the Commandant under authority of the act of March 31, 1947, as amended (Public Laws 27, 293, and 423, 80th Congress), in any case where such waiver is deemed necessary in the orderly reconversion of the merchant marine from wartime to peacetime operations. By the terms of Public Law 27, as amended, this authority to grant waivers expires March 1, 1949. The Commandant is specifically prohibited from granting waivers for the employment of alien seamen except for those who served between December 7, 1941 and September 2, 1945, aboard vessels operated by the War Shipping Administration, the United States Maritime Commission, or the Army Transport Service. This includes foreign flag vessels operated by these agencies.

(Public Laws 27, 283, and 423, 80th Congress)

Section 3.13-25 is amended by changing paragraphs (a), (b), and (c) to read as follows:

§ 3.13-25 *Crew deficiencies—*(a) *Authority for making crew substitutions.* The 3 waiver orders dated April 12, 1948, identified as documents CGFR 48-18 (13 F. R. 2070), CGFR 48-19 (13 F. R. 2071), and CGFR 48-21 (13 F. R. 2072), and published in the FEDERAL REGISTER dated April 17, 1948, are conditional waivers of manning requirements which permit masters who cannot obtain the quality of crew required to make substitutions therefor subject to certain restrictions.

(b) *Restrictions on substitutions.* (1) The waivers referred to in paragraph (a) of this section are applicable only to merchant cargo and tank vessels and do not authorize substitutions which would cause the statutory citizenship requirements for licensed officers and certificated crew members to be violated. These general waivers are intended to simplify to the utmost degree consistent with safety the procedure necessary when the required crew complement of a merchant cargo or tank vessel cannot be obtained by every reasonable effort up to the time of signing on. These waivers have the effect of relaxing the complement requirements of R. S. 4463, insofar as the quality of the crew is concerned by permitting substitutions in the filling of complements. Thus, if all the conditions of these waivers are met, a vessel may be navigated with rated positions occupied by men of lower ratings than the complement calls for, but all positions specified in the complement must be occupied. In other words, while these waivers permit particular positions to be filled by men who do not hold the certificates contemplated by the complement for such positions, it does not permit a vessel to be navigated with less than the total number of crew members specified in the complement. These waivers have no application to the navigation of a vessel where vacancies in the complement occur after the filling of the complement but during the period for which the full crew has been signed on. That situation continues to be governed by R. S. 4463.

(2) The waiver order dated April 12, 1948, identified as document CGFR 48-18, permits conditionally the employment of holders of limited able seamen certificates to the extent of one-half the total number of able seamen required on cargo and tank vessels other than those navigating the Great Lakes. The waiver orders dated April 12, 1948, in document CGFR 48-19 and CGFR 48-21 are conditional general waivers permitting a relaxation in the able seamen and qualified members of the engine department requirements on Great Lakes vessels.

(c) *Reports of substitutions.* No reports of substitutions made in the crew of a vessel pursuant to the general waivers referred to in paragraph (a) of this section are required of a vessel's master, owner, or operator. The requirement in these waiver orders that reasonable efforts be made to secure properly certificated able seamen and qualified members of the engine department is to be literally construed and the Coast Guard may require an explanation in the form of a justification for substitutions in specific cases, especially those where it appears that there has been a violation of the intent and purpose of the waiver authority. The waiver orders contain a penalty provision for their misuse.

(Public Laws 27, 283, and 423, 80th Congress)

Section 3.13-26 is amended to read as follows:

§ 3.13-26 *Employment of aliens as unlicensed crew members—*(a) *Authority for employment.* The order dated April



12, 1948, identified as document CGFR 48-20 (13 F. R. 2071), published in the FEDERAL REGISTER dated April 17, 1948, is a conditional waiver of certain navigation and vessel inspection laws and permits the employment of aliens in the unlicensed crew of subsidized United States vessels subject to certain restrictions. Aliens eligible for employment under this waiver are those who served between December 7, 1941, and September 2, 1945, aboard vessels operated by the War Shipping Administration, the United States Maritime Commission, or the Army Transport Service. This waiver is effective on and after July 15, 1948.

(b) *Restrictions on employment.* (1) The waiver referred to in paragraph (a) of this section is a general waiver and requires no forms or other reports of aliens employed under its provisions. It does, however, limit the number of aliens who may be employed under its provisions to 15 percent of the total unlicensed crew of the particular vessel and provides that aliens may be employed only if citizen seamen with appropriate ratings are not available for employment in the unlicensed crew as determined after reasonable efforts made by the master, or owner, or others concerned with supplying crews. Aliens claiming to have the required service between December 7, 1941 and September 2, 1945, must present to the shipping commissioner or master at the time of employment evidence in the form of certificates of discharge or other properly authenticated record of service showing the name of the vessels and dates served thereon. The employment of aliens to serve as watch officers on United States vessels is not allowed and nothing in this waiver permits such employment.

(2) This waiver does not permit aliens to serve as watch officers on United States vessels and the procedure set up by the Coast Guard for approving aliens to serve under waiver as watch officers is inoperative and all outstanding lists of approved aliens and individual letters of approval are without force and effect.

(Public Laws 27, 293, and 423, 80th Congress)

Dated: May 4, 1948.

[SEAL] MERLIN O'NEILL,  
Rear Admiral, U. S. Coast Guard,  
Acting Commandant.

[F. R. Doc. 48-4143; Filed, May 7, 1948;  
8:49 a. m.]

#### Subchapter K—Seamen

#### PART 138—SHIPMENT AND DISCHARGE OF SEAMEN

##### CITIZENSHIP OF SEAMEN

In the manning of merchant vessels of the United States the provisions of R. S. 4131 and 4551, as amended by the acts of June 25, 1936, and June 29, 1936, require that officers and certain percentages of seamen be citizens of the United States, either native born or naturalized. Since the effective date of section 5 of the act of June 25, 1936, and section 302 of the act of June 29, 1936, it has been

the practice of shipping commissioners and others concerned with enforcing the citizenship requirements for the manning of merchant vessels to regard seamen holding documents whereon question marks have been placed to indicate that satisfactory proof of citizenship has not been presented as not meeting the citizenship requirements imposed by the statutes. In addition this provision is stated on Form CG 735T for the information of masters who do not employ their crews under supervision of shipping commissioners. In accordance with the Administrative Procedure Act (Public Law 404, 79th Congress, 60 Stat. 237, 5 U. S. C. 1001 et seq.) notice of proposed rule making, public procedure thereon, and publication 30 days prior to its effective date are found impracticable and contrary to the public interest in that this regulation imposes no new requirement on the industry since it states a practice which has been followed for many years.

By virtue of the authority vested in me as Commandant by R. S. 4551 and the act of June 25, 1936, as amended (46 U. S. C. 643, 689), and section 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875), the following amendments to the regulations are prescribed which shall become effective on the date of publication of this document in the FEDERAL REGISTER:

The heading for Part 138 is changed from "Rules and Regulations for Issuance of Certificates and Continuous Discharge Books" to "Shipment and Discharge of Seamen."

Part 138 is amended by adding a new § 138.8, reading as follows:

§ 138.8 *Employment of seamen whose citizenship has not been established.* Seamen whose continuous discharge books, certificates of identification or merchant mariner's documents show question marks with reference to place of birth and/or citizenship shall not be considered as citizens of the United States in computing the number of citizens required by statute to be employed in the crew of a vessel. (R. S. 4551, sec. 7, 49 Stat. 1936, as amended; 46 U. S. C. 643, 689; sec. 101, Reorg. Plan No. 3 of 1946, 11 F. R. 7875)

Dated: May 3, 1948.

[SEAL] MERLIN O'NEILL,  
Rear Admiral, U. S. Coast Guard,  
Acting Commandant.

[F. R. Doc. 48-4139; Filed, May 7, 1948;  
8:48 a. m.]

#### Chapter II—United States Maritime Commission

[General Order 59, Supp. 1]

#### PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

SALE, LEASE, CHARTER, DELIVERY, OR TRANSFER OF VESSELS TO ALIENS AND AGREEMENTS THEREFOR

§ 221.8 *Conditional approval of charters of tank vessels to aliens.* Every charter of a tank vessel required to be approved by the United States Maritime Commission in accordance with the pro-

visions of section 9 of the Shipping Act, 1916, as amended (52 Stat. 964; 46 U. S. C. 808) may be approved by the said Commission in accordance with its vested authority under section 41 of the said act, as amended (49 Stat. 1987, 2016; 46 U. S. C. 839) upon the following conditions which will be incorporated in the same document or paper notifying the applicant of such approval. Nothing herein contained shall be construed to give unconditional approval to any such charter nor to limit the right in connection with such approval to impose additional conditions to such approval:

(a) The owner shall upon receipt from the Maritime Commission of a request to cancel the charter, immediately dispatch notice of such cancellation in accordance with the terms of the charter to the charterer and shall procure redelivery of such vessel within sixty (60) days after said notice to it from the Maritime Commission.

(b) Upon cancellation of the charter the vessel shall not again be chartered to a person not a citizen of the United States without the further consent of the Maritime Commission pursuant to section 9 of the Shipping Act, 1916, as amended.

(c) The owner shall incorporate into the charter the following provision:

This charter is subject to cancellation upon sixty days' notice from the Maritime Commission (provided that if the vessel shall be placed in service satisfactory to the Commission, cancellation may in the discretion of the Commission be withheld). This charter shall be terminated and the vessel shall be redelivered in accord with the redelivery provisions hereof within sixty days following receipt by the charterer of notice of such cancellation from the owner or from the United States Maritime Commission.

(52 Stat. 964, 49 Stat. 1987, 2016; 46 U. S. C. 808, 809)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,  
Secretary.

APRIL 20, 1948.

[F. R. Doc. 48-4125; Filed, May 7, 1948;  
8:45 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Docket No. 3666]

#### PARTS 71-85—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

##### MISCELLANEOUS AMENDMENTS

In the matter of regulations for transportation of explosives and other dangerous articles.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of April A. D. 1948.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921. (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated, and published certain regulations



for transportation of explosives and other dangerous articles.

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part thereof;

It is ordered, That the aforesaid regulations for transportation of explosives and

Poison D. Radioactive materials.

Article	Classed as	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in one outside container by rail express
(Add) Anhydrous hydrazine, see Hydrazine, anhydrous.				
(Add) Hydrazine, anhydrous.	Cor. L.	No exemption 276.	White.	5 pints.
(Add) Hydrazine solution containing 50 percent or less of water.	Cor. L.	No exemption 276.	White.	5 pints.
(Add) Chlorine trifluoride.	Cor. L.	No exemption 253A.	White.	25 pounds.
(Add) Lithium metal in cartridges.	See Sec. 206 (d) (1).			
(Add) Lithium aluminum hydride, ethereal.	Inf. L.	No exemption 110A.	Red.	1 quart.

### Part 3—Regulations Applying to Shippers (CFR 75)

Amending paragraph (d), section 61 *High explosives with no liquid explosive ingredient*, order August 16, 1940, as follows: (Add)

(d) (8) Spec. 23G. *Fiberboard boxes*. Such explosives when packed in boxes consisting of more than one tube joined circumferentially are exempt from requirements of section 61 (b) (3) and 61 (b) (4) or when packed in boxes consisting of one tube closed at the ends are exempt from requirements of section 61 (b) (1), 61 (b) (2), 61 (b) (3) and 61 (b) (4). The gross weight of boxes not to exceed 65 pounds.

Amending paragraph (e), section 61 *High explosives with no liquid explosive ingredient nor any chlorate*, order August 16, 1940, as follows: (Add)

(e) (8) Spec. 23G. *Fiberboard boxes*. Such explosives when packed in boxes consisting of more than one tube joined circumferentially are exempt from requirements of section 61 (b) (3) and 61 (b) (4) or when packed in boxes consisting of one tube closed at the ends are exempt from requirements of section 61 (b) (1), 61 (b) (2), 61 (b) (3) and 61 (b) (4). The gross weight of boxes not to exceed 65 pounds.

Superseding and amending paragraph (b) (4), section 62 *Blasting caps*, order August 16, 1940, to read as follows:

62 (b) (4) *Blasting caps* containing not to exceed 50 grains of explosive composition each must be placed in strong interior containers, in which they must fit snugly. When caps are loaded vertically in interior metal containers, they must be covered by suitable elastic material placed over the caps. Not more than 100 such blasting caps may be packed in a single container. All inside containers must then be packed snugly in cartons or wrappings made of paper or pasteboard.

Superseding and amending paragraph (b) (14), section 62 *Strong inside con-*

other dangerous articles be, and are hereby, amended as follows:

### Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Amending section 4 *Explanation of signs and abbreviations*, order August 16, 1940, as follows: (Add)

tainers, etc., order August 16, 1940, to read as follows:

(b) (14) *Strong interior containers*, in which they must fit snugly. When caps are loaded vertically in interior metal containers, they must be covered by suitable elastic material placed over the caps. Not more than 10 such blasting caps may be packed in a single inside container. All inside containers must then be packed snugly in cartons or wrappings made of paper or pasteboard. The cartons or wrappings must be separated from outside box by at least 1 inch of tightly packed sawdust, excelsior or equivalent cushioning material. Not more than 500 caps containing in excess of 50 grains of explosive composition each may be placed in one outside package. Gross weight not to exceed 150 pounds.

Superseding and amending paragraph (a), section 65, *Smokeless powder*, order October 14, 1943, to read as follows:

65 (a) *Smokeless powders* are propellant explosives from which there is little or no smoke when fired. They include smokeless powder for cannon and smokeless powder for small arms. Smokeless powder for cannon used in the United States at the present time consists of a nitrocellulose colloid and is comparatively safe to handle and transport. Smokeless powder for small arms may consist of nitrocellulose or nitrocellulose combined with nitroglycerin. So-called smokeless powders which are composed of picrate or chlorate mixtures are classed as high explosives. Smokeless powder for small arms in quantities exceeding 50 pounds net weight must be shipped as high explosives.

(Note not cancelled.)

Superseding and amending paragraphs (f) (5) (a) (b) (c) and (d), section 65, *Packing smokeless powder for small arms*, order August 16, 1940, to read as follows:

(f) (5) (a) Spec. 14, 15A, 15B, 15C, 16A, 19A or 23F. Wooden or fiberboard box with inside containers which must be:

(f) (5) (b) Metal kegs, spec. 13. Gross weight not to exceed 200 pounds in wooden boxes or 65 pounds in fiberboard boxes.

(f) (5) (c) Fiber or metal containers of not more than 1½ pounds capacity each. Gross weight not to exceed 200 pounds in wooden boxes or 65 pounds in fiberboard boxes.

(f) (5) (d) Not to exceed four metal containers, spec. 2A, of not more than 25 pounds each. Gross weight in fiberboard boxes not to exceed 65 pounds.

Superseding and amending paragraphs (a) (b), (d) and (e), sec. 68, *Cordeau detonant*, order August 16, 1940, to read as follows:

68 *Cordeau detonant*. (a) *Cordeau detonant* fuse is a fuse containing a core of pentaerythrite tetranitrate or cyclo-trimethylene trinitramine not exceeding 110 grains per linear foot, overspun with yarns, tapes and waterproofing compounds. Wire counteracting is permissible.

(b) *Cordeau detonant* fuse must not be packed in the same package with detonators or with any high explosive.

(c) *Packing*. Wooden boxes or fiberboard boxes.

(d) *Marking*. Each outside container must be plainly marked "Cordeau detonant fuse—handle carefully."

Superseding and amending paragraphs (a) and (b), section 103, *Inflammable liquids, etc.*, order April 18, 1947, to read as follows:

103 (a) *Inflammable liquids*, except carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, lithium aluminum hydride (ethereal), nickel carbonyl, spirits of nitroglycerin in excess of one percent by weight, and zinc ethyl, in inside glass or earthenware containers having a capacity not over 1 pint or 116 ounces by weight each, or inside metal containers not over 1 quart capacity each, packed in strong outside containers, except as otherwise provided, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(b) *Inflammable liquids*, except carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, lithium aluminum hydride (ethereal), nickel carbonyl, spirits of nitroglycerin in excess of one percent by weight, and zinc ethyl, in inside containers having a capacity not over 1 pint or 16 ounces by weight each, packed in strong outside containers, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

Amending order August 16, 1940, as follows: (Add)

110A (a) Lithium aluminum hydride, ethereal, must be packed in specification containers as follows:



(b) *Spec. 6A, 6B, 6C, or 17H (single-trip)*. Metal barrels or drums with not more than one inside glass container not exceeding 2 gallons capacity. The inside container must be completely cushioned in sufficient incombustible cushioning material to completely absorb the contents in event of breakage.

Superseding and amending paragraph (tt), section 154 *No exemptions*, order November 4, 1946, to read as follows:

(tt) Lithium metal (See section 206 (d) (1)).

Superseding and amending paragraph (g) (3), section 176 *Matches*, order August 16, 1940, to read as follows:

(g) (3) *Spec. 12B or 12C*. Fiberboard boxes with inside containers; not over 60 pounds each.

Amending section 206 *Sodium of potassium, metallic, lithium metal, lithium silicon and lithium hydride*, order August 16, 1940, as follows: (Add)

(d) (1) Lithium metal in cartridges, when packed and described as follows is exempt from specification packaging and labeling requirements.

(d) (2) In inside hermetically sealed metal cartridges not exceeding 18 grams net weight each, packed in strong outside containers. Net weight of lithium metal in any outside container, not over one pound.

Amending section 207 *Sodium sulfide*, order August 16, 1940, as follows: (Add)

(e) Sodium sulfide containing 35 percent or more combined water by weight, fused or concentrated but not ground (may be chipped, flaked, or broken) is exempt from specification packaging and labeling requirements, when packed in steel barrels or drums with closures treated to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation.

Amending section 245, order August 16, 1940, as follows: (Add)

(x) Hydrazine, anhydrous.  
(y) Hydrazine solution containing 50 percent or less of water.  
(z) Chlorine trifluoride.

Amending order August 16, 1940, as follows: (Add)

253A (a) Chlorine trifluoride must be packed in specification containers as follows:

(b) *Spec. 4B240 or 3A480*. Cylinders.

Amending order August 16, 1940, as follows: (Add)

276 (a) Anhydrous hydrazine and hydrazine solution containing 50 percent or less of water must be packed in specification containers as follows:

(b) *Specification 1D*. Boxed glass carboys.

(c) *Specification 15A, 15B, 15C*. Wooden boxes with inside containers which must consist of glass bottles not exceeding 1-gallon capacity each, cushioned by means of vermiculite within tin cans which shall be tightly closed.

(d) *Specification 5A, 5*. Metal drums which shall be of 304 or 347 stainless steel.

Superseding and amending paragraph (i) (2), section 303 *Weight and pressure*

check, order April 18, 1947, to read as follows:

(1) (2) Cylinders with a water capacity of 200 pounds or more and for use with a liquefied petroleum gas with a specific gravity at 60° F. of 0.504 or greater may have their contents determined by using a fixed length dip tube gauging device. The length of the dip tube shall be such that when the above liquid at a temperature of 40° F. is charged into the cylinder it just reaches the bottom of the tube. The weight of this liquid content shall not exceed 42 percent of the water capacity of the cylinder. The length in inches of the dip tube shall be stamped on the cylinder and on the exterior of removable type dip tubes; for the purpose of this requirement the marked length shall be expressed as the distance measured along the axis of a straight tube from the top of the boss through which the tube is inserted to the proper level of the liquid in the cylinder. The length of each dip tube shall be checked when installed by weigh-

ing each cylinder after filling except when installed in groups of substantially identical cylinders in which case one of each 25 cylinders shall be weighed. The quantity of liquefied gas in each container must be checked by means of the dip tube after disconnecting from the charging line. The outlet from the dip tube shall not be larger than a No. 54 drill size orifice. A container representative of each day's filling at each charging plant shall have its contents checked by weighing after disconnecting from the charging line.

Superseding and amending paragraph (k) section 303 *Restrictions for gases named in table*, order August 16, 1940, June 24, 1944, August 22, 1945, February 13, 1946, August 19, 1946, November 4, 1946, April 18, 1947, July 28, 1947, October 27, 1947 and February 3, 1948, to read as follows:

(k) The following restrictions must also be complied with for the gases named:

Kind of gas	Maximum permitted filling density (see sec. 303 (h))	Cylinders marked as shown in this column must be used except as provided in note 1 and sec. 303 (p) (2) to 303 (p) (6)
	Percent	
Anhydrous ammonia (see note 9)	54	ICC-4; ICC-3A480; ICC-3A480X; ICC-4A480; ICC-3.
Chlorine	125	ICC-3A480; ICC-25; ICC-3.
Dichlorodifluoromethane	119	ICC-3A225; ICC-3B225; ICC-4A225; ICC-4B225; ICC-4BA225.
Difluoroethane	79	ICC-3A150; ICC-3B150; ICC-4B150; ICC-4BA150.
Difluoromonoethane	100	ICC-3A150; ICC-3B150; ICC-4B150; ICC-4BA150.
Ethane	35.8	ICC-3A1800; ICC-3.
Ethylene	36.8	ICC-3A2000.
Ethylene	31.0	ICC-3A1800; ICC-3.
Ethylene	32.5	ICC-3A2000.
Hydrogen sulfide	68	ICC-3A480; ICC-3B480; ICC-4A480; ICC-4B480; ICC-4BA480; ICC-26-480.
Insecticide, liquefied gas (see note 8)	(f)	ICC-3A300; ICC-3B300; ICC-4B300; ICC-4BA300; ICC-9; ICC-40.
Liquefied carbon dioxide (see notes 3 and 5)	68	ICC-3A1800; ICC-3.
Liquefied nonflammable gases, liquids other than those classified as inflammable, corrosive, or poisonous and mixtures or solutions thereof, charged with nitrogen, carbon dioxide, or air (see note 10).	(f)	ICC-3A300; ICC-4B300; ICC-4BA300; ICC-4D300.
Methyl chloride (see note 4)	84	ICC-3A300; ICC-3B300; ICC-4A300; ICC-4B240; ICC-4BA240; ICC-3; ICC-4; ICC-25; ICC-26-300; ICC-38.
Mono-chlorodifluoromethane	105	ICC-3A240; ICC-3B240; ICC-4B240; ICC-4BA240.
Mono-chlorotrifluoromethane	100	ICC-3A1800; ICC-3.
Monomethylamine	54	ICC-3A300; ICC-4A300; ICC-4; ICC-3.
Nitrosyl chloride	110	ICC-3BN400 only.
Nitrous oxide (see notes 2 and 3)	68	ICC-3A1800; ICC-3.
Propylene	44	ICC-3A300; ICC-3B300; ICC-4A300; ICC-4B300; ICC-4BA300; ICC-3; ICC-4; ICC-25; ICC-26-300; ICC-38.
Sulfur dioxide	125	ICC-3A300; ICC-3B300; ICC-4A300; ICC-4B240; ICC-4BA240; ICC-3; ICC-4; ICC-25; ICC-26-150; ICC-38.
Tetrafluoroethylene, inhibited	90	ICC-3A1200; ICC-3E1800.
Trifluorochloroethylene	115	ICC-3A300; ICC-3B300; ICC-4A300; ICC-4B300; ICC-4BA300.
Vinyl chloride, inhibited (see note 7)	84	ICC-4B300, without brazed seams; ICC-4BA300, without brazed seams; ICC-3A300; ICC-25.
Vinyl methyl ether inhibited (see note 7)	68	ICC-4B300, without brazed seams; ICC-4BA300, without brazed seams; ICC-3A300; ICC-25.

\* Specs. 3, 25, 26, 33 and 38 are now obsolete but cylinders made thereunder may be continued in service.

\* 303 (j) (1) and (2).

\* 303 (j) (1) and (2) and the pressure in the container must not at 130° F. exceed 5/4 the marked service pressure of the container.

NOTE 1: Cylinders complying with spec. 3E are also authorized for all gases named in this table for which steel cylinders are authorized except where ICC-3A2000 cylinders are specified.

NOTE 2: Filling density for nitrous oxide may be 75 percent in cylinders made previous to February 1, 1917, of less than 12-pound water capacity, and if known to have passed a test pressure of not less than 3,500 pounds per square inch.

NOTE 3: The maximum amount of liquefied carbon dioxide or nitrous oxide, with 1 pound allowable variation in each cylinder, must not be over 20 pounds for standard cylinders 5 1/2 inches in diameter by 51 inches long, nor over 50 pounds for standard cylinders 8 1/2 inches in diameter by 51 inches long and larger. Provided, That cylinders having interior diameter not over 10 inches, walls not less than 3/8 inch thick, and capacity not less than 4,200 cubic inches, may be shipped by or for the United States Government when charged with not over 102 pounds of gas.

Provided, further, That foregoing provisions of this note do not apply to cylinders of size not over 9 1/8 inches by 51 inches (approximately) when charged with mixtures of carbon dioxide or nitrous oxide containing at least 6 percent by weight of gas or liquid other than carbon dioxide or nitrous oxide.

Provided further, That cylinders marked ICC-3A2300 or for higher pressures are authorized to be shipped when charged with 75 or 100 pounds of gas with not over 1 pound variation plus or minus; filling density must not exceed 68 percent.



NOTE 4: Cylinders ICC-3A150, ICC-3B150, ICC-4A150, and ICC-4B150 manufactured prior to December 7, 1936, are also authorized.

NOTE 5: Mining devices consisting of a cylinder containing carbon dioxide with a heating element, are authorized for shipment under the following conditions: Cylinders shall be of steel, have a calculated bursting pressure of at least 39,000 pounds per square inch, be fitted with a frangible disc that will operate at not over 57 percent of that pressure, be able to withstand a drop of 10 feet so as to strike crosswise on a steel rail while under internal pressure of at least 3,000 pounds per square inch, and be charged with not over 6 pounds of carbon dioxide gas at a filling density of not over 85 percent. (See section 303 (h)); the cylinders are exempted from specification requirements other than the foregoing: the device must be shipped in strong boxes, described as liquefied carbon dioxide gas ("mining device"), and marked, labeled, and certified as prescribed for liquefied carbon dioxide.

NOTE 6: Cylinders purchased after October 1, 1944, for the transportation of chlorine must contain no aperture other than that provided in the neck of the cylinder for the attachment of a valve equipped with an approved safety device.

NOTE 7: All parts of valve and safety devices in contact with contents of cylinders must be of a metal or other material, suitably treated if necessary, which will not cause formation of any acetylides.

NOTE 8: Cylinders of 86 cubic inches capacity or less must be packed in strong outside containers. (See section 25.)

NOTE 9: Cylinders marked ICC-3A480X are authorized for service trial, reports of which, showing the number in service, the method of transportation used, the number of trips and average length of trip, and the condition of the cylinders, must be made annually by the owner to the Bureau of Explosives.

NOTE 10: Containers must be equipped with approved safety devices and 4D spheres must be packed in strong boxes or crates. (See section 25.)

Superseding and amending paragraph (l) (1), section 303 *Acetylene gas*, order August 16, 1940, to read as follows:

(l) (1) Acetylene gas must be shipped in cylinders, spec. 8 or 8AL. The cylinders must be completely filled with a porous material that has been tested with satisfactory results by the Bureau of Explosives, and this material must be charged with a suitable solvent.

Superseding and amending paragraph (m) (2), section 303 *Liquefied gases, except gas in solution or poisonous gas*, order April 18, 1947, to read as follows:

(m) (2) Spec. 3, 3A, 3B, 3E, 4, 4A, 4B, 4BA, 25, 26, or 38, also Spec. 9 or 40, except that mixtures containing carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, nickel carbonyl, spirits of nitroglycerin, zinc ethyl, or poisonous articles, Class A, B, or C, as defined by these regulations are not permitted unless otherwise prescribed herein. (See section 303 (p).)

Superseding and amending paragraph (n) (2), section 303 *Liquefied petroleum gas*, order February 3, 1948, to read as follows:

(n) (2) Spec. 3, 3A, 3B, 3E, 4, 4A, 4B, 4BA, 4B240X, 4B240FLW, 25, 26, or 38. Cylinders authorized under section 303 (2) to 303 (p) (6) may be used.

(Notes 1 and 2 not cancelled.)

Superseding and amending paragraph

(o) (2), section 303 *Nonliquefied gases, except gas in solution or poisonous gas*, order August 16, 1940, to read as follows:

(o) (2) Spec. 3, 3A, 3B, 3C, 3D, 3E, 4, 4A, 4B, 4BA, 4C, 7, 25, 26, 33, or 38. See section 303 (p).

Superseding and amending paragraph (p) (11), section 303 *Cylinders exposed to action by fire*, order July 28, 1947, to read as follows:

(p) (11) *Cylinders exposed to the action of fire.* Cylinders which have been in a fire must not again be placed in service until they have been properly heat treated and retested as prescribed in section 303 (p) (12): *Provided*, That cylinders made of plain carbon steel with not over 0.25 percent carbon need not be heat treated, and may be used after passing the pressure test prescribed. Acetylene cylinders, except those authorized in Specification ICC-8, to be made of 4130X steel and those made to comply with ICC-8, paragraph 22, need not be heat treated or tested, provided porous filling is found to be unchanged and intact.

Superseding and amending subparagraph (p) (14) (a), section 303 *Tests prescribed*, order August 16, 1940, September 7, 1944 and January 23, 1946, to read as follows:

(p) (14) (a) The tests prescribed by section 303 (p) (13) must be as follows:

Specification under which cylinders were made	Minimum retest pressure (pounds per square inch)
ICC-3	3,000 pounds.
ICC-3A; ICC-3D; ICC-4A; ICC-26 marked for filling at over 450 pounds.	5/3 times the service pressure (see sec. 303 (p) (1)).
ICC-3B, ICC-3BN; ICC-4B; ICC-4BA; ICC-26 marked for filling at 450 pounds and below.	2 times the service pressure (see sec. 303 (p) (1)).
ICC-3C; ICC-3E, ICC-4C; ICC-8; ICC-8AL	Quinquennial test not required.
ICC-7 when used as authorized in sec. 303 (n) (5)	300 pounds.
ICC-7 when not used under authority of sec. 303 (n) (5)	Quinquennial test not required.
ICC-4	700 pounds.
ICC-9	400 pounds.
ICC-25; ICC-38	500 pounds.
ICC-33	800 pounds.

Superseding and amending paragraph (q) (1) table, section 303 *Compressed gases in tank cars and motor vehicles*, orders August 16, 1940, and November 8, 1941, to read as follows:

Name of gas	Maximum permitted filling density (note 1)	Required type of tank car (note 2)
	Percent	
Liquefied carbon dioxide	Note 10	Note 11. ICC-105A500; ICC-105A600.
Liquefied petroleum gas (pressure not exceeding 75 pounds per square inch at 105° Fahr.)	Note 3	Note 9. ICC-104A.

Cancel Note 13, to paragraph (q) (1) table, section 303 49 CFR, Parts 71-85, Cum. Supp.)

Cancel authority granted for special specification for construction of portable fusion-welded steel tanks for test service for transportation of butane on board freight vessels, listed under "Appendix—Special Orders for Trial Containers" (49 CFR, Parts 71-85, Cum. Supp.), and in orders of December 28, 1939 (49 CFR, Parts 71-85, Cum. Supp.), and of March 29, 1940 (49 CFR, Parts 71-85, Cum. Supp.); and also Report of the Commission dated December 28, 1939 (235 I. C. C. 595).

Superseding and amending section 325 (a) *Poisonous articles*, order August 16, 1940, to read as follows:

325 (a) *Poisonous articles* for the purpose of these regulations are divided into four classes according to degree of hazard in transportation.

(b) Extremely Dangerous Poison—Class A.

(c) Less Dangerous Poison—Class B.

(d) Tear Gases or Irritating Substances—Class C.

(Add) (e) Radioactive materials—Class D.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending paragraph 22, specification 3A, order August 19, 1946, to read as follows:

22. *Additional type.* Cylinders made of steel commercially known as 4130X, NE-8630, 9115, 9125, 9115X, 9125X, or intermediate manganese, with yield strength over 70 percent of tensile strength are also authorized when made in full compliance with the requirements of Specification 3AA.

Superseding and amending paragraph 8A, specification 3A, *Welding or brazing*, order December 7, 1945, to read as follows:

8A. Welding or brazing is authorized, but only for the attachment of external neckrings and footrings which are non-pressure parts, to tops and bottoms of cylinders, having a service pressure of 500 pounds per square inch or less. Cylinders, neckrings and footrings must be made of weldable steel, the carbon contents of which must not exceed 0.25 percent.

NOTE: Cylinders used solely in anhydrous ammonia service may have a 1/2 inch diameter bar welded within their concave bottoms in accordance with the foregoing requirements.

Amending specification 3E, order August 16, 1940, as follows: (Add)

8. *Manufacture.* By best appliances and methods; dirt and scale to be removed as necessary to afford proper inspection; no defect acceptable that is likely to weaken the finished cylinder appreciably; reasonably smooth and uniform surface finish required. The thickness of the spun bottom is, under no condition, to be less than two times the minimum wall thickness of the cylindrical shell; such bottom thickness to be measured within an area bounded by a line representing the points of contact between the cylinder and floor when the cylinder is in a vertical position.



Superseding and amending paragraph 8 (b), specification 4B *Longitudinal seams in shells*, order August 16, 1940, to read as follows:

8. (b) *Longitudinal seams in shells.* By forged lap welding or by copper or silver alloy brazing. The melting point of the brazing material must be in excess of 1000° F. If a liquid flux is used it may be applied to contacting surfaces of a lapped joint before assembly. When brazed, the plate edge must be lapped at least eight times the thickness of plate, laps being held in position, substantially metal to metal, by riveting or electric spot welding; brazing must be done by placing flux and brazing material on one side of seam and applying heat until this material shows uniformly along the seam of the other side.

Superseding and amending paragraph 22, specification 4B *Additional type cylinders without longitudinal welded seam*, order February 25, 1947 and February 3, 1948, to read as follows:

22. Acceptance not authorized under paragraph 22.

Superseding and amending paragraph 23, specification 4B *Special type with fusion-welded longitudinal seam, etc.*, order December 31, 1946, to read as follows:

23. Special type with fusion-welded longitudinal seam authorized because of the present emergency and until further order of the Commission. Cylinders to have 240 pounds nominal water capacity, a service pressure of 240 pounds per square inch, and be made in compliance with all the requirements of this specification, except those applicable to longitudinal seams, and with all of the following additional requirements, which apply to cylinders with fusion-welded longitudinal seams:

(a) Cylinders shall be inspected by competent and disinterested inspectors acceptable to the Bureau of Explosives.

(b) Steel shall be plain carbon steel of American Society for Testing Materials firebox quality with carbon content not in excess of 0.25 percent.

(c) Calculated wall stress at two times the service pressure shall not exceed 18,000 pounds per square inch.

(d) Each cylinder shall be thermally stress-relieved after all initial welding and seam repair welding operations have been completed and prior to the hydrostatic test.

(e) Each cylinder shall be subjected to the hydrostatic test as specified in paragraphs 13 (a), (b), and (c) of Specification 3A. Test pressure shall be at least two and two thirds times the service pressure. Following this test, each cylinder shall be subjected to a dry air-pressure test of two times the service pressure. The cylinder shall be thoroughly dry before air test is applied, and during test welded seams shall be examined for leaks, either by submerging the cylinders in liquid, or by painting all welded seams with a solution suitable for the detection of leaks.

(f) (1) Longitudinal fusion-welded seam shall be of the double-welded butt type. Filler metal may be added from one side when and if means are pro-

vided for accomplishing complete penetration and reinforcement on both sides of the joint. Welding procedure and welding operators shall be qualified for the manufacture of pressure vessels in accordance with paragraph U-69 of the rules for Construction of Unfired Pressure Vessels, section VIII of the American Society of Mechanical Engineers Boiler Construction Code, 1943 Edition including Addenda to 1946 Edition.

(f) (2) One finished cylinder out of each lot, which appears to the inspector to be the least likely to meet the test, shall be selected by the inspector from each lot of 200 or less successively produced and shall be hydrostatically tested to destruction and shall not burst at a pressure less than six times the service pressure.

(f) (3) Guided bend test: A bend test specimen shall be cut from the cylinder used for the physical tests specified in paragraph 15 (a). Specimen shall be taken across the seam, shall be 1½ inches wide, edges shall be parallel and rounded with a file, and back-up strip, if used, shall be removed by machining. The specimen shall be bent to refusal in the guided bend test jig shown in the drawing as an appendix attachment made part hereof (except that the radius of the male member shall be two times the nominal thickness of the specimen and the radius of the female member shall be three times the nominal thickness of the specimen plus ½ inch). The root of the weld (inside surface of the cylinder) shall be located away from the ram of the jig. No specimen shall show a crack exceeding ⅛ inch in any direction upon completion of the test. Should this specimen fail to meet the requirements, two additional specimens from the same cylinder shall be tested, and if either of these fails to meet the require-

ments, the entire lot represented shall be rejected.

(f) (4) In addition to the guided bend test, a reduced section tension test shall be made transverse to the weld and meet the requirements of paragraph Q-109 of section IX of the American Society of Mechanical Engineers Boiler Construction Code, 1943 Edition, including Addenda to 1946 Edition. Should this specimen fail to meet the requirements, two additional specimens from the same cylinder shall be tested, and if either of these fails to meet the requirements, the entire lot represented shall be rejected.

(g) One finished longitudinal seam shall be selected at random from each lot of 100 or less successively produced and be radiographically examined throughout its length in accordance with subparagraph (h) of paragraph U-68 of the American Society of Mechanical Engineers Unfired Pressure Vessel Code. Should the radiographs fail to meet the requirements two additional seams of the same lot shall be examined, and if either of these fails to meet the requirements the entire lot shall be rejected.

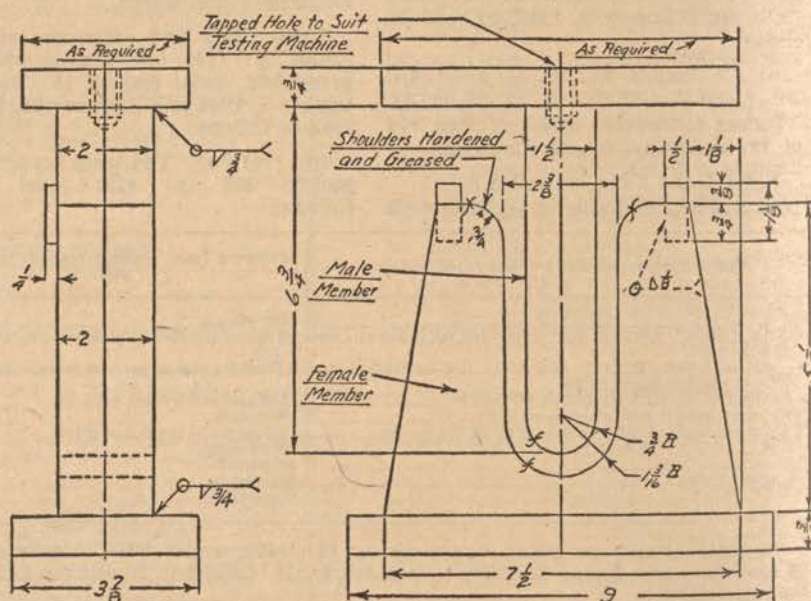
(h) Marking required on each cylinder. By stamping plainly and permanently on shoulder, top head, or neck as follows:

(1) ICC-4B240-FLW.

(2) A serial number and an identifying symbol (letters); location of number to be just below the ICC mark; location of symbol to be just below the number. The symbol and numbers must be those of purchaser, user, or maker. The symbol must be registered with the Bureau of Explosives; duplications unauthorized.

(3) Inspector's official mark near serial number, date of test (such as 12-46 for December 1946), so placed that dates of subsequent test can be easily added.

#### APPENDIX



Jig Complies with A.S.M.E. Code for Unfired Pressure Vessels, 1940 Edition.

Guided Bend Test Jig

NOTE: Dimensions shown for die and plunger are for ⅜" thick material only. The following dimensions shall be used for other thicknesses. Thickness of plunger member = 4 × thickness of test specimen. Radius of plunger member = 2 × thickness of test specimen. Width of opening, die member = 6 × thickness of test specimen + ⅛". Radius of die member = 3 × thickness of test specimen + ⅛".



Amending order August 16, 1940 *Specifications*, as follows: (Add)

**SPECIFICATION 4BA—WELDED OR BRAZED STEEL CYLINDERS MADE OF DEFINITELY PRESCRIBED STEELS**

**GENERAL**

1. *Compliance.* Required in all details.

2. *Type size, and service pressure.* (a) Must be welded or brazed type; not over 1,000 pounds water capacity (nominal), service pressure at least 225 and not over 500 pounds per square inch gauge. Closures welded by the spinning process not permitted.

**INSPECTION**

3. *Inspection by whom and where.* By competent inspector; chemical analyses and tests, as specified, to be made within limits of the United States. Interested inspectors are authorized.

4. *Duties of Inspector.* (a) Inspect all material and reject any not complying with requirements of this specification. For cylinders made by the billet-piercing process, billets to be inspected after nick and cold break.

(b) Verify chemical analysis of each heat of material by analysis or by obtaining certified analysis: *Provided*, That a certificate from the manufacturer thereof, giving sufficient data to indicate compliance with requirements, is acceptable when verified by check analyses of samples taken from one cylinder out of each lot of 200 or less.

(c) Verify compliance of cylinders with specification requirements including: Markings; condition of inside; tests; threads; heat treatment. Obtain samples for all tests, and check chemical analyses, witness all tests; report volumetric capacity, tare weight (see report form), and minimum thickness of wall noted.

(d) Render complete report (paragraph 20) to purchaser, cylinder maker, and the Bureau of Explosives.

**MATERIAL**

5. *Steel.* Open hearth or electric steel of uniform quality. Designations and limiting chemical compositions of steels authorized by this specification shall be as shown in paragraph 19, Table I. Addition of other elements to obtain alloying effect is not authorized. A heat of steel made under any of the above specifications, chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the standard permissible variations from specified chemical ranges and limits published in the American Iron and Steel Institute Products Manual, section 10, dated June, 1945, are not exceeded.

6. *Identification of material.* Required; any suitable method except that plates and billets for hot-drawn cylinders shall be marked with the heat number.

7. *Defects.* Material with seams, cracks, laminations, or other injurious defects, not authorized.

**CONSTRUCTION**

8. *Manufacture.* By best appliances and methods; dirt and scale to be re-

moved as necessary to afford proper inspection; no defect acceptable that is likely to weaken the finished cylinder appreciably; reasonably smooth and uniform surface finish required. Exposed bottom welds on cylinders over 18 inches long must be protected by footings. Seams must be made as follows: Minimum thickness of heads and bottoms shall not be less than 90 percent of the required thickness of the side wall.

(a) *Circumferential seams.* By welding or by brazing. Heads attached by brazing must have a driving fit with the shell, unless the shell is crimped, swaged, or curled over the skirt or flange of the head, and must be thoroughly brazed until complete penetration by the brazing material of the brazed joint is secured. Depth of brazing from end of shell must be at least four times the thickness of shell metal.

(b) *Longitudinal seams in shells.* By copper-brazing only.

(b) (1) *Copper brazed longitudinal seams.* The plate edge must be lapped at least eight times the thickness of plate, laps being held in position, substantially metal to metal, by riveting or by electric spot-welding. Brazing must be done by placing flux and brazing material on one side of seam and applying heat until this material shows uniformly along the seam on the other side.

9. *Wall thickness.* (a) For outside diameters over 5 inches the minimum wall thickness shall be 0.078 inch. The calculated wall stress at minimum test pressure shall not exceed the value shown in paragraph 19, Table I for the particular material under consideration, and shall not exceed  $\frac{1}{2}$  of the minimum ultimate strength determined as in paragraph 14 or 35,000 pounds per square inch whichever is the smaller; provided that a wall stress of not over 95 percent of the above values is authorized for cylinders with copper brazed side seams having strength at least  $\frac{3}{2}$  times the strength of the steel wall. Measured wall thickness shall not include galvanizing or other protective coating.

(b) Calculation must be made by the formula.

$$S = \frac{P(1.3D^2 + 0.4d^2)}{D^2 - d^2}$$

wherein:

S = Wall stress in pounds per square inch.

P = Minimum test pressure prescribed for water jacket test.

D = Outside diameter in inches.

d = Inside diameter in inches.

(c) Cylinders with wall thickness less than 0.100 inch, the ratio of tangential length to outside diameter shall not exceed 3.5.

10. *Heat treatment.* Each cylinder must be uniformly and properly heat treated prior to test by the applicable method shown in paragraph 19, Table I. Heat treatment must be accomplished after all forming and welding operations, except that when brazed joints are used, heat treatment must follow any forming and welding operations, but may be done before, during or after the brazing operations.

11. *Openings in cylinders.* (a) All openings must be in the heads or bases.

(b) Each opening in cylinders, except those for safety devices, must be pro-

vided with a fitting, boss, or pad, securely attached to cylinder by brazing, by welding, or by threads. If threads are used they must comply with the following:

1. Threads must be clean-cut, even, without checks and cut to gauge.

2. Taper threads to be of length not less than as specified for American Standard taper pipe threads.

3. Straight threads, having at least 4 engaged threads, to have tight fit and calculated shear strength at least 10 times the test pressure of the cylinder; gaskets required, adequate to prevent leakage.

(c) Closure of fitting, boss, or pad must be adequate to prevent leakage.

12. Safety devices and protection for valves, safety devices and other connections, if applied. Must be as required by the Interstate Commerce Commission's regulations that apply. (See section 303 (p) (7) (a) and 303 (p) (8)).

**CYLINDER TESTS**

13. *Hydrostatic test.* (a) By water jacket, or other suitable method, operated so as to obtain accurate data. Pressure gauge must permit reading to accuracy of 1 percent. Expansion gauge must permit reading of total expansion to accuracy either of 1 percent or 0.1 cubic centimeter.

(b) Pressure must be maintained for 30 seconds and sufficiently longer to insure complete expansion. Any internal pressure applied after heat treatment and previous to the official test must not exceed 90 percent of the test pressure.

(c) Permanent volumetric expansion must not exceed 10 percent of the total volumetric expansion at test pressure.

(d) Cylinders must be tested as follows:

1. Each cylinder; to at least 2 times service pressure.

2. Or, 1 cylinder out of each lot of 200 or less; to at least 3 times service pressure. Others must be examined under pressure of 2 times service pressure and show no defect.

14. *Physical test.* (a) Required on 2 specimens cut from one cylinder having passed the hydrostatic test, or part thereof heat treated as required, taken at random out of each lot of 200 or less.

(b) Specimens must be: Gauge length 8 inches with width not over  $1\frac{1}{2}$  inches; or, gauge length 2 inches with width not over  $1\frac{1}{2}$  inches: *Provided*, That gauge length at least 24 times thickness with width not over 6 times thickness is authorized when cylinder wall is not over  $\frac{3}{16}$  inch thick. The specimen, exclusive of grip ends, must not be flattened. Grip ends may be flattened to within one inch of each end of the reduced section. When size of cylinder does not permit securing straight specimens, the specimens may be taken in any location or direction and may be straightened or flattened cold, by pressure only, not by blows; when specimens are so taken and prepared, the inspector's report must show in connection with record of physical tests detailed information in regard to such specimens. Heating of specimen for any purpose is not authorized.

(c) (1) The yield strength in tension shall be the stress corresponding to a



permanent strain of 0.2 percent of the gauge length.

(c) (2) The yield strength shall be determined by either the "offset" method or the "extension under load" method as described in ASTM Standard E8-46.

(c) (3) In using the "extension under load" method, the total strain, (or "Extension under load"), corresponding to the stress at which the 0.2 percent permanent strain occurs may be determined with sufficient accuracy by calculating the elastic extension of the gauge length under appropriate load and adding thereto 0.2 percent of the gauge length. Elastic extension calculations, shall be based on an elastic modulus of 30,000,000. In the event of controversy, the entire stress-strain diagram shall be plotted and the yield strength determined from the 0.2 percent offset.

(c) (4) For the purpose of strain measurement, the initial strain reference shall be set while the specimen is under a stress of 12,000 pounds per square inch, the strain indicator reading being set at the calculated corresponding strain.

(c) (5) Cross-head speed of the testing machine shall not exceed  $\frac{1}{8}$  inch per minute during yield strength determination.

15. *Elongation.* Physical test specimens must show at least 40 percent for 2 inch gauge length or at least 20 percent in other cases, except that these elongation percentages may be reduced numerically by 2 for 2 inch specimens, and by 1 in other cases, for each 7,500 pounds per square inch increment of tensile strength above 50,000 pounds per square inch to a maximum of four such increments.

16. *Weld test.* (Does not apply to brazed seams.)

(a) *Reduced section tensile test.* A specimen shall be cut from the cylinder used for the physical tests specified in paragraph 14 (a). Specimen shall be taken across the seam, edges shall be parallel for a distance of approximately 2 inches on either side of the weld. The specimen must be fractured in tension. The breaking stress calculated on the parent metal area must be at least equal to two (2) times the stress calculated under paragraph 9 (b). Should this specimen fail to meet the requirements, specimen may be taken from two additional cylinders from the same lot and tested. If either of the latter specimens fails to meet requirements, the entire lot represented shall be rejected.

(b) *Guided bend test.* A bend test specimen shall be cut from the cylinder used for the physical tests specified in paragraph 14 (a). Specimen shall be taken across the seam, shall be  $1\frac{1}{2}$  inches wide, edges shall be parallel and rounded with a file, and back-up strip, if used, shall be removed by machining. The specimen shall be bent to refusal in the guided bend test jig illustrated in paragraph 23 of Specification ICC4B. The root of the weld (inside surface of the cylinder), shall be located away from the ram of the jig. No specimen shall show a crack or other open defect exceeding  $\frac{1}{8}$  inch in any direction upon completion of the test. Should this specimen fail to meet the requirements, specimens may be taken from each of two additional cylinders from the same

lot and tested. If either of the latter specimens fails to meet requirements, the entire lot represented shall be rejected.

#### REJECTED CYLINDERS

17. Reheat treatment authorized; subsequent, thereto, acceptable cylinders must pass all prescribed tests. Repair of brazed seams by brazing and welded seams by welding is authorized.

#### MARKING

18. (a) On each cylinder stamped as follows:

1. ICC-4BA\*\*\*; stars to be replaced by the service pressure. (for example, ICC-4BA240).

2. A serial number and an identifying symbol, both to be of the purchaser, user, or maker. The symbol must be registered with the Bureau of Explosives. Duplications unauthorized. Lot numbers in place of serial numbers authorized for cylinders not over 2 inches outside diameter or for cylinders with volumetric capacity not exceeding 60 cubic inches.

3. Inspector's official mark.

4. Date of test, (such as 4-48 for April, 1948).

5. For cylinders designed for stress over 24,000 pounds per square inch at minimum test pressure, the stress factor, (the numerical value of the expression S/P, see paragraph 9 (b), to nearest three significant figures). To be stamped immediately to the right of the ICC marking (example: ICC-4BA240-655).

6. Additional markings are permitted.

(b) *Sequence of marks.* Number shall be just below the ICC marking; identifying symbol shall be just below the number; inspector's official mark shall be near the serial number. Date of test shall be so placed that dates of subsequent test can easily be added. Symbol in front of or following the number, with space between, or symbol and serial number stamped into welded or brazed-on valve spud directly above the ICC mark located on head of cylinder are also authorized. Other variations in sequence of marks authorized only when necessitated by lack of space.

(c) *Location of markings.* Markings may be stamped plainly and permanently in the following locations on the cylinder:

1. On shoulders and top heads not less than 0.087 inch thick.

2. On side wall adjacent to top head for side walls not less than 0.090 inch thick.

3. On neck, valve boss, valve protection sleeve, or similar part permanently attached to top end of cylinder.

4. On a plate attached to the top of the cylinder or permanent part thereof; sufficient space must be left on the plate to provide for stamping at least six retest dates; the plate must be at least  $\frac{1}{16}$  inch thick and must be attached by welding, or by brazing at a temperature of at least 1100° F, throughout all edges of the plate.

5. Variations in location of markings authorized only when necessitated by lack of space.

(d) *Size of marks.* Space permitting, at least  $\frac{1}{4}$  inch high.

19. Table I.

TABLE I  
[Type of material]

Chemical analysis	Chemical analysis—limits in percent				
	1315	HIS <sup>1</sup>	NAX <sup>1</sup>	COR <sup>1</sup>	14017
Carbon.....	0.10/0.20	0.12 max.	0.20 max.	0.12 max.	0.13/0.20.
Manganese.....	0.50/0.90	0.50/0.75	0.50/0.75	0.20/0.50	0.75/1.10.
Phosphorus.....	1.30/1.65	0.045 max.	0.045 max.	0.07/0.15	0.040 max.
Sulphur.....	0.045 max.	0.050 max.	0.050 max.	0.050 max.	0.040 max.
Silicon.....	0.050 max.	0.15 max.	0.60/0.90	0.25/0.75	0.25/0.35.
Chromium.....	0.15/0.35	0.45/0.65	0.50/1.25	0.50/1.25	0.25/0.35.
Molybdenum.....		0.08/0.18			
Zirconium.....		0.05/0.25			
Nickel.....		0.45/0.75		0.65 max.	
Copper.....		0.95/1.30		0.25/0.55	
Aluminum.....	0.40 max.	0.12/0.27			
Heat treatment authorized.....	See note 1.	See note 1.	See note 1.	See note 1.	See note 1.
Maximum stress.....	35,000.	35,000.	35,000.	35,000.	35,000.

<sup>1</sup> The commercial steel is limited as to chemical analysis as shown in the table.

NOTE 1: Any suitable heat treatment in excess of 1,100° F.

#### REPORT

20. *Inspector's report.* Required to be clear, legible, and in following form:

(Place)..... (Date).....  
 Steel gas cylinders.....  
 Manufactured for.....  
 Location at.....  
 Manufactured by.....  
 Location at.....  
 Consigned to.....  
 Location at.....  
 Quantity..... size..... inches outside diameter by..... inches long  
 Marks stamped into the.....  
 (Location of marking)  
 of the cylinder are:  
 Specification ICC-4BA.....  
 Serial numbers..... to..... inclusive.  
 Inspector's mark.....

Identifying symbol (registered).....  
 Test date.....  
 Tare Weights (yes or no).....  
 Other marks.....

These cylinders were made by process of.....

The material used was Type..... authorized in Table I of Spec. No. 4BA. The material used was identified by the following.....  
 (heat-purchase order)

numbers.....

The material used was verified as to chemical analysis and record thereof is attached hereto. The heat numbers.....  
 (were—were not)

marked on the material.

All material was inspected and all that was accepted was found free from seams,



Each cylinder (has—has not) been equipped with safety devices as follows:

I hereby certify that all of these cylinders proved satisfactory in every way and comply with the requirements of Interstate Commerce Commission Specification No. 4BA except as follows:

Exceptions

Signed (Manufacturer's name)

Inspector (Date)

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR CYLINDERS

Numbered to inclusive. Size to inches outside diameter by inches long. Made by Company. For Company.

cracks, laminations and other injurious defects. The compliance of cylinders with specification requirements was verified including markings, condition of inside, tests, threads, etc. All cylinders with defects which might prove injurious were rejected. The processes of manufacture and heat treatment were supervised and found to be efficient and satisfactory.

The cylinder walls were measured and the minimum thickness noted was inch. The outside diameter was determined by a close approximation to be inches. The wall stress was calculated to be pounds per square inch under an internal pressure of pounds per square inch.

Hydrostatic tests, tensile tests of material, and other tests as prescribed in specification No. 4BA were made in the presence of the inspector and all cylinders accepted were found to be in compliance with the requirements of that specification. Records thereof are attached hereto.

Test No.	Heat No.	Check analysis No.	Cylinders represented (Serial Nos.)	Chemical analysis									
				C	P	S	Si	Mn	Ni	Cr	Mo	Cu	Zr

Steel was manufactured by Company. The originals of the certified mill test reports are in the files of the manufacturer.

NOTE: Any omission of analyses by heats, if authorized, must be accounted for by notation hereon reading "The prescribed certificate of the manufacturer of material has been secured, found satisfactory, and placed on file", or by attaching a copy of the certificate.

Test No.	Cylinders represented by test (Serial Nos.)	Yield strength (pounds per square inch)	Tensile strength (pounds per square inch)	Elongation (percent in inches)	Reduction of area (percent)	Weld tensile test	Weld bend test

(Signed)

RECORD OF HYDROSTATIC TESTS ON CYLINDERS

Numbered to inclusive. Size to inches outside diameter by inches long. Made by Company. For Company.

Serial numbers of cylinders tested arranged numerically	Actual test pressure (pounds per square inch)	Total expansion (cubic centimeters) <sup>1</sup>	Permanent expansion (cubic centimeters) <sup>1</sup>	Percent ratio of permanent expansion to total expansion <sup>1</sup>	Tare weight (pounds) <sup>2</sup>	Volumetric capacity <sup>3</sup>

NOTE: When specifications require test for only one out of each lot of 200 or less cylinders, the check on the others must be indicated by a notation hereon reading: "Each cylinder was subjected to a pressure of pounds per square inch and showed no defects".

<sup>1</sup> If the tests are made by a method involving the measurement of the amount of liquid forced into the cylinder by the test pressure then the basic data, on which the calculations are made, such as the pump factors, temperature of liquid, coefficient of compressibility of liquid, etc., must also be given.

<sup>2</sup> Do not include removable cap but state whether with or without valve. These weights must be accurate to a tolerance of 1 percent.

<sup>3</sup> Report approximate maximum and minimum volumetric capacity for the lot.

Superseding and amending paragraph 8A, specification 3D Welding or brazing authorized, order December 7, 1945, to read as follows:

8A. Welding or brazing is authorized, but only for the sealing of neckings which must be threaded on the external neck of cylinders of not over 500 cubic inches capacity. Cylinders and neckings must be weldable steel, the carbon content of which must not exceed 0.25 percent except that the use of 4130X steel is authorized. The weld free from Table I.

22. Additional type. Cylinders without longitudinal seams are authorized provided they comply with this specification, with exceptions and additional requirements as follows:

(a) Authorized steels. As shown in Table I.

TABLE I  
[Type of material]

Chemical analysis—Limits in percent				
Chemical analysis	1 3315	H1S <sup>1</sup>	NA <sup>1</sup>	COR <sup>1</sup>
Carbon	0.10/0.20	0.12 max	0.20 max	0.12 max
Manganese	1.20/1.65	0.50/0.90	0.50/0.75	0.20/0.50
Phosphorus	0.045 max	0.05/0.12	0.045 max	0.07/0.15
Sulphur	0.050 max	0.050 max	0.050 max	0.050 max
Silicon	0.15/0.35	0.15 max	0.60/0.90	0.25/0.75
Chromium			0.45/0.65	0.50/1.25
Molybdenum		0.08/0.18	0.05/0.25	0.25/0.35
Zirconium				0.65 max
Nickel		0.45/0.75		0.25/0.55
Copper	0.40 max	0.95/1.30		
Aluminum		0.12/0.27		
Heat treatment authorized	See note 1	See note 1	See note 1	See note 1
Maximum stress	35,000	35,000	35,000	35,000

<sup>1</sup> The commercial steel is limited as to chemical analysis as shown in the table. NOTE 1: Any suitable heat treatment in excess of 1,100° F.



(b) Yield strength of the steel may exceed 73 percent of the ultimate strength.

(c) *Wall thickness; wall stress.* (1) The calculated wall stress at 750 pounds per square inch shall not exceed 35,000 pounds per square inch, or one half of the minimum ultimate strength of the steel as determined in paragraph 13, whichever value is the smaller. Measured wall thickness shall not include galvanizing or other protective coating.

(2) Calculation of wall stress must be made by the formula:

$$S = \frac{P(1.3D^2 + 0.4d^2)}{D^2 - d^2}$$

wherein:

$S$  = Wall stress in pounds per square inch.  
 $P$  = 750 pounds per square inch (min. test pressure).

$D$  = Outside diameter in inches.

$d$  = Inside diameter in inches.

Either  $D$  or  $d$  must be calculated from the relation  $D = d + 2t$ , where  $t$  = min. wall thickness.

(3) Cylinders with wall thickness less than 0.100 inch, the ratio of straight side wall length to outside diameter shall not exceed 3.5.

(4) For cylinders having outside diameter over 5 inches, the minimum wall thickness shall be 0.087 inch.

(d) Required elongation percentages may be reduced numerically by 2 for 2 inch specimens and 1 in other cases for each 7,500 pounds per square inch increment of tensile strength above 50,000 pounds per square inch to a maximum of four such increments.

(e) Each cylinder must be uniformly and properly heat treated, prior to tests, by any suitable method in excess of 1,100° F. Heat treatment must be accomplished after all forming and welding operations, except that when brazed joints are used, heat treatment must follow any forming and welding operations but may be done before, during, or after the brazing operations. Liquid quenching not authorized.

(f) *Weld tests.* (Does not apply to brazed seams.) Specimens taken across the circumferentially welded seam must be cut from one cylinder taken at random from each lot of 200 or less cylinders after heat treatment and must pass satisfactorily the following tests.

(1) *Tensile test.* One specimen for tensile test without preparation other than finishing the edges parallel for a distance of approximately 2 inches on each side of the circumferentially welded seam must be fractured in tension. The breaking stress calculated on the parent metal area must be at least equal to two (2) times the stress as calculated under the requirements of paragraph 22 (c) (2) of this specification. Should this specimen fail to meet the requirements, one specimen may be taken from each of two additional cylinders from the same lot and tested. If either of these two specimens fails to meet the requirements, the entire lot represented shall be rejected.

(2) *Guided bend test.* One bend test specimen shall be cut from the cylinder used for the tensile test required in f (1). Specimen shall be taken across the cir-

cumferential welded seam, shall be 1½ inches wide; edges shall be parallel and rounded with a file and "back-up" strip, if used, shall be removed by machining. The specimen shall be bent to refusal in the guided bend test jig illustrated in paragraph 23 of Specification ICC4B. The root of the weld (inside surface of the cylinder), shall be located away from the ram of the jig. No specimen shall show a crack or other opening exceeding ⅛ inch in any direction upon completion of the test. Should this specimen fail to meet the requirements, one specimen from each of two additional cylinders may be taken from the same lot and tested. If either of the latter two specimens fail to meet the requirements, the entire lot shall be rejected.

(g) *Markings.* Markings shall be as prescribed in paragraph 18 of this specification, except that "I. C. C. 8" shall be followed by the letters "AL"—denoting compliance with paragraph 22 of this specification—

Example: ICC 8AL

(h) *Location of markings.* Markings shall be stamped plainly and permanently in locations in accordance with the following:

(1) On shoulders and top heads not less than 0.087 inch thick, or

(2) On neck, valve boss, valve protection sleeve, or similar part permanently attached to the top end of cylinder, or

(3) On a plate of ferrous material attached to the top of the cylinder or permanent part thereof; the plate must be at least ⅛ inch thick, and must be attached by welding, or by brazing at a temperature of at least 1100° F. throughout all edges of the plate. Sufficient space must be left on the plate to provide for stamping at least four (4) re-test dates.

(i) Reports of manufacture shall include percentage of each specified alloying element in the steel and shall state that the cylinders are made under the provisions of paragraph 22 of this specification.

Superseding and amending Specification 13A, order May 2, 1946, to read as follows:

#### SPECIFICATION 13A; METAL DRUMS

##### GENERAL

1. *Compliance.* Required in all details.

##### TYPE

2. *Straight sided.* Authorized only for material cast solid and with filling end head applied after material is loaded and closed in the manner prescribed in paragraph 6. No other openings permitted.

##### MATERIAL

3. *Composition.* To be low carbon, open-hearth or electric steel.

##### CONSTRUCTION

4. (a) *Heads.* To be not less than 28 gage, U. S. Standard. (b) *Body.* To be not less than 28 gage, U. S. Standard.

5. *Seams.* Must be welded.

6. *Heads.* To be attached by means of double lapped-seam.

##### MARKING

7. (a) *On each container.* By embossing on head with raised marks as follows:

(b) *ICC-13.* This mark shall be understood to certify that the container complies with all specification requirements.

(c) *Size of markings (minimum).* Five-sixteenths inch high.

##### TESTS

8. *Type tests.* (a) Drums filled and closed as for shipment must be capable of withstanding, without rupture, 4 successive drops of 4 feet on the head onto solid concrete.

(b) Drum must be capable of withstanding hydrostatic pressure test of 30 pounds per square inch, sustained for 5 minutes.

Superseding and amending paragraph 6, additional container specification 22A, order July 14, 1942, to read as follows:

6. *Parts and dimensions.* As follows:

Maximum net weights authorized	Thickness (minimum)		Size of hoops (minimum)		Head liners (minimum)
	Body	Heads	Wooden	Metal <sup>1</sup>	
Pounds	Inch	Inch	Inch	Inch	Inch
33	0.16	⅜	½ x 2	0.023 x 1½ 0.015 x 2½	½ x ⅝
56	.18	⅜	½ x 2	0.023 x 1½ 0.015 x 2½	½ x ⅝
115	.20	⅜	½ x 2½	0.023 x 1½ 0.015 x 2½	¾ x ¾
200	.28	0.43	½ x 3	0.028 x 1½	¾ x ¾

<sup>1</sup> On drums of not over 10½ gallons capacity having authorized maximum net weights not over 115 pounds, additional outside headliners may be used in lieu of metal hoops provided containers will pass prescribed tests. (See par. 14.)

<sup>2</sup> Authorized only when metal hoop is between body of drum and wooden hoop as described in paragraph 8.

Superseding and amending paragraph 19 (a), specification 23F, order August 16, 1940, to read as follows:

19 (a) *Flap closures.* Flaps must butt or have full overlap excepting that inner flaps may overlap ½ inch when supported across the entire width of the overlap by the lining tubes.

#### Part 4—Regulations Applying Particularly to Carriers by Rail Freight (CFR 80)

Amending loading and storage chart, section 533, order November 8, 1941, as follows: (Add)

NOTE 3: Gas identification sets may be loaded and transported with all articles named except those in column c.



Superseding and amending paragraph (a), section 584 Waybills, switching orders, or other billing, orders November 4, 1946, April 18, 1947 and July 28, 1947, to read as follows:

**584 WAYBILLS, SWITCHING ORDERS, OR OTHER BILLING**

(a) The revenue waybill, astray waybill, switching order or any other billing

issued in lieu thereof, prepared from the shipping order or other shipping paper, or shipping orders used as waybills, must describe the article by shipping name as prescribed herein and must show label notations for less-than-carload shipments or placard notations for carload shipment for dangerous articles other than explosives and placard indorsements as follows:

	Label notation to follow entry of the article on the billing	Placard notation to follow entry of the article on the billing	Placard Indorsement must be $\frac{3}{4}$ " high and appear on the billing near the space provided for the car number
For high explosives initiating explosives and low explosives, class A, and smokeless powder for small arms in quantity exceeding 50 pounds net weight.	None.....	None.....	"Explosives."
For explosive chemical ammunition containing class A, poison gas.	Poison gas label.....	"Poison Gas Placard."	"Explosives" and "Poison Gas."
For less dangerous explosives, class B, except smokeless powder for small arms in quantity exceeding 50 pounds net weight.	None.....	None.....	"Dangerous."
For relatively safe explosives, class C.	None.....	None.....	None.
For inflammable liquids.	Red label.....	"Dangerous Placard."	"Dangerous."
For inflammable solids and oxidizing materials.	Yellow label.....	"Dangerous Placard."	"Dangerous."
For corrosive liquids.	White label.....	None.....	"Dangerous."
For compressed noninflammable gases in containers other than tank cars.	Green label.....	None.....	None.
For compressed noninflammable gases in tank cars.	None.....	"Dangerous Placard."	"Dangerous."
For compressed inflammable gases.	Red label.....	"Dangerous Placard."	"Dangerous."
For poison gases or liquids, class A.	Poison gas label.....	"Poison Gas Placard."	"Poison Gas."
For poisonous liquids or solids, class B.	Poison label.....	"Dangerous Placard."	"Dangerous."
For tear gases, class C.	Tear gas label.....	None.....	None.
For radioactive materials class D poison.	Radioactive materials label.....	"Dangerous class D Poison Placard."	"Dangerous."

NOTE: When placards prescribed by previous requirements are used in conformity with authority granted in section 545 (c), the indorsement "Inflammable", "Acid", "Corrosive Liquid", "Compressed Gas", or "Poisonous", should be used.

(a) (1) Billing prepared from the shipping order or other shipping paper covering shipments of blasting caps, must, in addition, show the number of blasting caps in the shipment.

**Part 7—Regulations Applying to Shipments Made by Way of Common, Contract or Private Carriers by Public Highway (CFR 85)**

Amending loading and storage chart, section 825, order November 8, 1941, as follows: (Add)

NOTE 3: Gas identification sets may be loaded and transported with all articles named except those in column c.

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in full force and effect on and after July 19, 1948, and shall be observed until further order of the Commission;

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after date of service hereof;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(41 Stat. 1445, 49 Stat. 456, 52 Stat. 1237, 54 Stat. 921, 56 Stat. 176; 18 U. S. C. 383, 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-4170; Filed, May 7, 1948; 8:49 a. m.]

## PROPOSED RULE MAKING

### ATOMIC ENERGY COMMISSION

#### [11 CFR, Part 80]

#### GENERAL RULES OF PROCEDURE ON APPLICATIONS FOR DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION, OR GRANT OF AWARD FOR PATENTS, INVENTIONS OR DISCOVERIES

##### NOTICE OF PROPOSED RULE MAKING

Pursuant to the Atomic Energy Act of 1946 (Public Law 585, 79th Congress; 60 Stat. 755 ff) and to section 4 (a) of the Administrative Procedure Act of 1946 (Public Law 404, 79th Congress), notice is hereby given of intention to issue general rules of procedure on applications for the determination of reasonable royalty fee, just compensation, or the grant of an award for patents, inventions or discoveries. The proposed rules are set forth hereunder.

Interested persons are hereby given an opportunity to submit their views and other relevant information with respect to the proposed rules in writing to the Atomic Energy Commission, 1901 Constitution Avenue, N. W., Washington 25, D. C., Attention of the Office of the Gen-

No. 91—3

eral Counsel, within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Dated at Washington, D. C., this 5th day of May 1948.

By order of the Commission.

CARROLL L. WILSON,  
General Manager.

#### PART 80—GENERAL RULES OF PROCEDURE ON APPLICATIONS FOR THE DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION, OR THE GRANT OF AN AWARD FOR PATENTS, INVENTIONS OR DISCOVERIES

##### GENERAL PROVISIONS

- Sec.  
80.1 Scope of the regulations.  
80.2 Definitions.  
80.3 Notices.  
80.4 Security.

##### APPLICATIONS

- 80.10 Applicants.  
80.11 Form and content.  
80.12 Filing of applications.

##### EXAMINATION AND RESPONSE

- 80.20 Examination.

- Sec.  
80.21 Recommendation for acquisition by purchase.  
80.22 Response.

##### PREHEARING CONFERENCE

- 80.30 Designation.  
80.31 Conference procedure.

##### HEARING

- 80.40 Notice.  
80.41 Order of procedure.  
80.42 Submission and receipt of evidence.  
80.43 Transcript of the testimony.  
80.44 Oral arguments; proposed findings; written arguments.  
80.45 Copies of the record of the hearing.

##### PROPOSED FINDINGS AND DETERMINATION

- 80.50 Formulation.  
80.51 Exceptions.

##### ADJUDICATION

- 80.60 Final action.

AUTHORITY: §§ 80.1 to 80.60, inclusive, issued under 60 Stat. 755; 42 U. S. C. 1811.

##### GENERAL PROVISIONS

§ 80.1 Scope of the regulations. The regulations in this part provide the rules of procedure to be followed by any person making application to the Atomic Energy Commission for the determina-



tion of a reasonable royalty fee, just compensation, or the grant of an award, and for the consideration of such applications pursuant to subsection (e) of section 11 of the Atomic Energy Act of 1946 (60 Stat. 755, 768; 42 U. S. C. 1811).

§ 80.2 *Definitions.* (a) All terms used in the regulations in this part which are defined in the Atomic Energy Act shall have the defined meaning.

(b) "Board" shall mean the Patent Compensation Board designated by the Commission pursuant to subsection (e) (1) of section 11 of the act.

(c) "Application" shall mean the application provided for in §§ 80.10 to 80.12, inclusive.

(d) "Response" shall mean the document, to be filed by the Office of the General Counsel of the Commission, provided for in § 80.22.

(e) "Party" shall mean the applicant (personally or through his counsel) and the Office of the General Counsel of the Commission, as the text may indicate.

§ 80.3 *Notices.* All notices required by this part and the service of all documents will be by registered mail and will be effective as of the time received.

§ 80.4 *Security.* In any proceeding under the regulations in this part, the Commission may issue any general or specific order, directive, or further regulation which it determines to be appropriate pursuant to section 10 of the act to assure the common defense and security.

#### APPLICATIONS

§ 80.10 *Applicants.* (a) Any person claiming just compensation for any patent revoked in whole or in part by paragraph (1) and (2) of subsection (a) or by subsection (b) of section 11 of the act may file an application for just compensation.

(b) Any person claiming just compensation for any invention or discovery, or for any patent or patent application covering such invention or discovery, taken, requisitioned, or condemned by the Commission pursuant to subsection (d) of section 11 of the act may file an application for just compensation.

(c) Any person claiming a reasonable royalty fee for the use of an invention or discovery covered by any patent declared to be affected with a public interest pursuant to paragraph (1) of subsection (c) of section 11 of the act, or any person who has been licensed pursuant to section 11 (c) (2) of the act to utilize the invention or discovery covered by such patent and is unable to reach an agreement with the owner thereof, may file an application for the determination of a reasonable royalty fee.

(d) Any person who has made any invention or discovery covered by paragraph (3) of subsection (a) of section 11 of the act, who is not entitled to compensation therefor under subsection (a) of section 11, and who has complied with the provisions of paragraph (3) of subsection (a), may file an application for an award.

§ 80.11 *Form and content.* (a) Each application shall be signed by the applicant and shall state his name and post office address. Where the applicant

elects to be represented by counsel, a request for entry of counsel's appearance shall be filed with or after the application, on a form obtainable from the Clerk of the Board.

(b) Each application must contain a concise statement of all of the essential facts upon which it is based. No particular form of statement is required, but it will facilitate consideration of the application if the following specific data accompany the application:

(1) In the case of an issued patent, a copy of the patent;

(2) In the case of a patent application, a copy of the application and of all Patent Office actions and responses thereto;

(3) In the case of an invention or discovery as to which a report has been filed with the Commission pursuant to paragraph (3) of subsection (a) of section 11 of the act, a copy of such report.

(4) The date relied upon as the date of invention.

(5) In all cases, an adequate statement of the extent to which, if any, the invention or discovery was developed through federally financed research; the degree of its utility, novelty, and importance.

(6) In the case of an application for just compensation or an award, the actual use of such invention or discovery.

(7) In all cases, the cost of developing the invention or discovery or acquiring the patent or patent application.

(8) The reasonable royalty fee proposed, or the amount sought as just compensation or award; the basis used in calculating it; and whether lump sum or periodic payments are sought.

(c) Each connected series of statements shall be set forth in separately numbered paragraphs in the application. Any exhibits or documents which accompany the application may be incorporated by reference.

(d) All applications shall be verified by the applicant or by the person having the best knowledge of such facts. In the case of facts stated on information and belief the source of such information shall be given.

§ 80.12 *Filing of applications.* (a) Five copies of each application shall be filed with the Clerk of the Board. At the applicant's election, only one copy of the accompanying exhibits may be filed.

(b) The Clerk of the Board will acknowledge the receipt of the application in writing and advise the applicant of the docket number assigned to the application.

(c) All communications concerning the application and all documents thereafter filed in the proceeding shall bear the docket number of the application.

#### EXAMINATION AND RESPONSE

§ 80.20 *Examination.* Upon receipt of the application, a preliminary examination will be made by the Commission staff.

§ 80.21 *Recommendation for acquisition by purchase.* At any time following the filing of an application and prior to final determination, the applicant may be requested in writing to meet with one or more members of the Commission

staff to discuss the possibility of acquisition by purchase of the invention or discovery or patent or patent application, as the case may be, pursuant to subsection (d) of section 11 of the act. The time prescribed in § 80.22 for the filing of the response shall be extended by a time equivalent to any period in which negotiations are being conducted (beginning with the initial communication to the applicant and ending either with acceptance or rejection of a proposal or with a written communication by the applicant stating that negotiations are to be terminated.)

§ 80.22 *Response.* Within a reasonable time and in no event more than four (4) months after receipt of the application, unless such time shall have been extended by special order of the Board for cause or pursuant to § 80.21, the Office of the General Counsel shall file with the Clerk of the Board a response containing a concise statement of the facts or law constituting a defense or any other relevant matter which it contends should be considered by the Board.

#### PREHEARING CONFERENCE

§ 80.30 *Designation.* In any proceeding in which the Board in its discretion determines that a prehearing conference would be desirable, the board may designate one of its members to preside at a prehearing conference to which the parties shall, upon reasonable notice, be invited to appear.

§ 80.31 *Conference procedure.* (a) The prehearing conference shall be conducted in an informal manner and shall be devoted to a consideration of

(1) The simplification of the issues;

(2) The necessity or desirability of amendment or amplification of the application or the response;

(3) The possibility of obtaining agreement as to facts and documents which will avoid unnecessary proof;

(4) Such other matters as may facilitate the consideration by the Board.

(b) The Board member presiding at such conference shall prepare, with the assistance of the parties, a memorandum of matters upon which agreement has been reached, and such memorandum shall, when signed by the parties, become a part of the record.

#### HEARING

§ 80.40 *Notice.* The Board shall in each case afford an opportunity for a hearing for the receipt of relevant evidence. At least thirty (30) days notice shall be given of the time and place of such hearing.

§ 80.41 *Order of procedure.* To promote orderliness and clarity of the record, evidence in support of the application ordinarily shall first be received and thereafter such evidence in reply as may be appropriate. Thereafter rebuttal and any necessary additional evidence shall be received. Each applicant shall be entitled to be represented by counsel at the hearing.

§ 80.42 *Submission and receipt of evidence.* (a) Each witness shall, before proceeding to testify, be sworn or make affirmation.



(b) When necessary in order to prevent undue prolongation of the hearing, the Board may limit the amount of corroborative or cumulative evidence, may restrict the repetitious examination or cross-examination of witnesses, and shall otherwise control the conduct of the proceeding.

(c) The Board shall admit only relevant and material evidence.

(d) Opinion evidence shall be admitted when the Board is satisfied that the witness is properly qualified.

(e) Evidence may be submitted in affidavit form if relevant and material. All affidavits shall be submitted not later than the opening of the hearing unless the Board for cause shown shall receive them at a later time. Each party shall be permitted to examine all affidavits received in evidence, and to file counter affidavits within such period as the Board shall fix. In determining the weight to be attached to testimony contained in affidavits, the Board shall consider the lack of opportunity for cross-examination.

(f) Opportunity shall be afforded for the cross-examination of witnesses. Objections to the admission or rejection of any evidence or to any limitation of the scope of examination or cross-examination shall state briefly the grounds of such objection and the transcript shall not include argument on such objection except as ordered by the Board. No objection may subsequently be relied upon unless timely made, and the ruling on each objection shall be made part of the transcript, together with any offer of proof which may be made.

(g) In the conduct of the hearing the Board shall ensure compliance with the security regulations and requirements of the Commission and take whatever steps it may deem appropriate to assure the common defense and security pursuant to the provisions of the act.

**§ 80.43 Transcript of the testimony.** Testimony given at a hearing shall be reported verbatim. All written statements, charts, tabulations, and similar data offered in evidence at the hearing shall be marked for identification and, upon a showing satisfactory to the Board

of their authenticity, relevance, and materiality, shall be received and marked as exhibits in evidence. Such exhibits (including affidavits) shall, if practicable, be submitted in quintuplicate. Where the required number of copies are not made available, the Board may in its discretion order the exhibit read in evidence or require additional copies to be submitted within a specified time.

**§ 80.44 Oral arguments; proposed findings; written arguments.** (a) In its discretion the Board may authorize oral argument at the close of the hearing.

(b) The Board shall announce at the hearing a reasonable period within which either party may submit to the Board proposed findings and a proposed recommendation. Such proposals shall be in writing in quintuplicate, and copies shall be served on the opposing party.

(c) At the time fixed for the submission of proposed findings, either party may file written arguments in support based upon the evidence received at the hearing, citing the page or pages of the transcript of the testimony where such evidence may be found.

**§ 80.45 Copies of the record of the hearing.** The Board shall make provision for a stenographic record of the testimony and for furnishing it to the applicant upon payment of the cost. Suggested corrections to the transcript of the testimony shall be considered only if filed within a period to be fixed by the Board. Upon receipt of such suggested corrections, the Board in its discretion shall correct the transcript.

#### PROPOSED FINDINGS AND DETERMINATION

**§ 80.50 Formulation.** (a) Within a reasonable time after the close of the hearing the Board shall prepare and serve upon the parties its proposed findings and proposed determination and a statement of the reasons or basis therefor. The proposed findings and proposed determination shall be based upon the entire record and supported by reliable, probative and substantial evidence. On issues of fact, no finding shall be proposed except when deemed by the Board to be supported by the greater weight of the evidence. The

proposed findings and proposed determination, together with the statement of the reasons or basis therefor, shall become part of the record.

(b) The Board shall further make a ruling upon each proposed finding and proposed recommendation presented by either party pursuant to § 80.44 (b). Such rulings shall be served upon each party and shall become part of the record.

**§ 80.51 Exceptions.** Either party may, within twenty (20) days after receipt of a copy of the proposed findings and proposed determination of the Board, unless such time shall have been extended by special order of the Board for cause, file with the Clerk of the Board exceptions to any part thereof or to the failure of the Board to include proposed findings requested under § 80.44. The exceptions may be accompanied by briefs in support. Five (5) copies of the exceptions and the supporting briefs shall be filed, and a copy served upon the other party. The exceptions but not the supporting briefs shall become part of the record.

#### ADJUDICATION

**§ 80.60 Final action.** (a) Upon the expiration of the period prescribed in § 80.52, the Board shall proceed to a final consideration of the application on the basis of the entire record, including any exceptions and briefs in support filed by either party. The Board shall resolve questions of fact by what it deems to be the greater weight of the evidence and shall make its decision on the entire record. Its findings as to the facts shall be supported by reliable, probative and substantial evidence. The Board shall enter an appropriate order, together with a statement of its reasons or basis, determining a reasonable royalty fee, the amount of just compensation, or the amount of an award as the case may be.

(b) The Board shall further make a ruling upon each exception presented by either party pursuant to § 80.52.

(c) The action of the Board shall be final and shall constitute the action of the Commission.

[F. R. Doc. 48-4138; Filed, May 7, 1948; 8:50 a. m.]

## NOTICES

### DEPARTMENT OF COMMERCE

#### Office of International Trade

[Case No. 31]

#### TRANSCONTINENTAL PRODUCTS CO. AMENDMENT OF ORDER SUSPENDING LICENSING PRIVILEGES

In the matter of Transcontinental Products Co., 401 Broadway, New York 13, New York.

Under date of February 12, 1948 (12 F. R. 845), the original order in this matter was issued, suspending export license privileges of the above named respondent for a period of six months from such date and for such further period as required

by respondent to secure approval by the undersigned, to transmit and to file with the Office of International Trade proof of transmission, of a letter of retraction to be sent to all recipients of a certain foreign circular letter dated on or about October 3, 1947.

Respondent has subsequently filed with the Office of International Trade a copy of its proposed letter of retraction, has secured the undersigned's approval thereof, and has transmitted its affidavit to the effect that such letter of retraction has in fact been mailed to all recipients of the circular letter of October 3, 1947.

It has been pointed out that, whereas the six months' suspension was made to run from February 12, 1948, according to

the terms of the original order, respondent's export license privileges had in effect been suspended since November 28, 1947, the date upon which the proceeding was commenced by the mailing of a charging letter. It is accordingly felt that the purpose and intent of the six months' suspension will be served if such period of suspension is made to run from January 1, 1948 and thus to include two calendar quarters.

Now, therefore, it is ordered, That the order of February 12, 1948, issued in this matter be, and the same hereby is, amended in the following respects:

(1) The suspension of respondent's right to apply for, secure, or use any form of export license, including general li-



cense, shall run from January 1, 1948, instead of from February 12, 1948.

(2) Respondent having duly filed proof of mailing its letter of retraction as described above, its right to apply for, secure, or use any form of export license, including general license, is restored effective July 1, 1948.

Dated: May 3, 1948.

W. S. THOMAS,  
Director, Export Operations  
Division, Office of Interna-  
tional Trade.

[F. R. Doc. 48-4145; Filed, May 7, 1948;  
8:54 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8086, 8931]

GREER BROADCASTING CO. AND PIEDMONT  
BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of W. Ryan Frier and Edd A. Burch, a partnership d/b as Greer Broadcasting Company, Greer, South Carolina, Docket No. 8931, File No. BP-5959; Piedmont Broadcasting Company, Greenville, South Carolina, Docket No. 8086, File No. BP-5307: For construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications of W. Ryan Frier, et al. requesting a permit to construct a new standard broadcast station in Greer, South Carolina for operation on the frequency 900 kc, daytime only, with 250 w power; and Piedmont Broadcasting Company requesting a permit to construct a new station for operation on the frequency 890 kc, with 1 kw power, daytime only, in Greenville, South Carolina;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and the partners and of the applicant corporation, Piedmont Broadcasting Company its officers, directors and stockholders to construct and operate their proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any

existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That if a final decision in the above-entitled matter is issued prior to a final decision in the matter of the daytime skywave interference hearing, and Piedmont Broadcasting Company is the successful applicant, its application shall be returned to the Commission's pending file pursuant to the Commission's public notice dated May 9, 1947, Mimeo. No. 6630.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4168; Filed, May 7, 1948;  
8:53 a. m.]

[Docket No. 8116]

BALBOA RADIO CORP. (KLIK)

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In re application of Balboa Radio Corporation (KLIK), San Diego, California, Docket No. 8116, File No. BP-5622, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled application of Balboa Radio Corporation (permittee of Station KLIK, San Diego, authorized to operate on 740 kc, with 5 kw power, daytime only, DA) requesting a change in assignment so as to operate on 1450 kc, with 250 w power, unlimited time;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be determined by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation

of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations or with the services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of Station KLIK as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to whether the station would provide satisfactory service to the city of San Diego and its metropolitan district, and whether the 25 mv/m contour of station KLIK as proposed would overlap the 2 mv/m contour of station XEAU, Tijuana, Mexico.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4164; Filed, May 7, 1948;  
8:52 a. m.]

[Docket Nos. 8183, 8909]

CHANUTE BROADCASTING CO. AND PONCA  
CITY PUBLISHING CO.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of Galen O. Gilbert, H. Edward Walker, Phil Crenshaw and George A. Rountree, a partnership d/b as Chanutte Broadcasting Company, Chanutte, Kansas, Docket No. 8909, File No. BP-5684; The Ponca City Publishing Company, Ponca City, Oklahoma, Docket No. 8183, File No. BP-5848; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications of Galen O. Gilbert, et al., requesting a permit to construct a new standard broadcast station in Chanutte, Kansas on 1460 kc, with 250 w power, daytime only and The Ponca City Publishing Company requesting a permit for a new station in Ponca City, Oklahoma for unlimited operation on the frequency 1460 kc, with 1 kw power, employing a directional antenna;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and the partners and of the applicant corporation, The Ponca City Publishing Company, its officers, directors and stockholders to con-



struct and operate their proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particularly with respect to the assignment of a Class IV station to a regional channel as proposed in the application of Galen O. Gilbert, et al.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4167; Filed, May 7, 1948;  
8:53 a. m.]

[Docket Nos. 8121, 8122, 8764]

PETALUMA BROADCASTERS ET AL.

ORDER CONTINUING HEARING

In re applications of Petaluma Broadcasters, Petaluma, California, docket No. 8121, File No. BP-5501; Walter L. Read, Petaluma, California, Docket No. 8122, File No. BP-5762; Pacific States Radio Engineering, Pittsburgh, California, Docket No. 8764, File No. BP-5753; for construction permits.

The Commission having under consideration a petition filed April 28, 1948, by Sacramento Broadcasters, Inc. (KXOA), Sacramento, California, requesting a 30-day continuance of the hearing now scheduled for May 4, 1948, at Washington, D. C., on the above-entitled applications for construction permits in which petitioner is a party intervenor;

It is ordered, This 30th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m.,

Wednesday, June 2, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4161; Filed, May 7, 1948;  
8:52 a. m.]

[Docket No. 8204]

GUILFORD BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In re application of Gilbert M. Hutchison tr/as Guilford Broadcasting Company, Greensboro, North Carolina, Docket No. 8204, File No. BP-5830; for construction permit.

At a session of the Federal Communications Commission, held at its office in Washington, D. C., on the 28th day of April 1948;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1400 kc, with 250 w power, unlimited time at Greensboro, North Carolina;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with stations WSIC, Statesville, North Carolina, and WHLF, South Boston, Virginia, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particu-

larly with reference to the population to receive nighttime primary service in the metropolitan district.

It is further ordered, That Statesville Broadcasting Company licensee of station WSIC Statesville, North Carolina and John L. Cole Jr. tr/as Halifax Broadcasting Company licensee of station WHLF in South Boston, Virginia be, and they are hereby, made parties to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4162; Filed, May 7, 1948;  
8:52 a. m.]

[Docket No. 8257]

ELLIS COUNTY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In re application of Ellis County Broadcasting Company Waxahachie, Texas, Docket No. 8257, File No. BP-5339; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled application for construction permit for a new standard broadcast station to operate on 1390 kc, 1 kw power, daytime only at Waxahachie, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with stations KGVV, Greenville, Texas and KEBE, Jacksonville, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby,



and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine the overlap, if any, that will exist between the service areas of the proposed station and of station WACO at Waco, Texas, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

*It is further ordered, That, Truett Kimzey, licensee of station KGVL, Greenville, Texas and Billy A. Laurie, licensee of station KEBE, Jacksonville, Texas be, and they are hereby, made parties to this proceeding.*

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4163; Filed, May 7, 1948;  
8:52 a. m.]

[Docket Nos. 8615, 8932]

EL CAMINO BROADCASTING CO. AND UNITED  
NATIONS BROADCASTING CORP.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of W. J. Ravenscroft, M. E. PoHard and T. C. Carrell, a partnership d/b as El Camino Broadcasting Company, San Fernando, California, Docket No. 8932, File No. BP-6656; United Nations Broadcasting Corporation, San Fernando, California, Docket No. 8615, File No. BP-6243; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled application of W. J. Ravenscroft, et al. requesting a permit to construct a new standard broadcast station in San Fernando, California to operate on the frequency 610 kc, with 500 w power, daytime only; and

It appearing, that the Commission on November 6, 1947, designated for hearing the above-entitled application of United Nations Broadcasting Corporation (File No. BP-6243; Docket No. 8615) requesting a permit to construct a new station to operate on the frequency 610 kc, with 500 w power, daytime only, in San Fernando, California.

*It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of W. J. Ravenscroft et al. be, and it is hereby, designated for hearing in a consolidated proceeding with the application of United Nations Broadcasting Corporation, as amended, at a time and place to be designated by subsequent order of the Commission, upon the following issues:*

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners

to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

*It is further ordered, That the order of the Commission dated November 6, 1947, designating the said application of United Nations Broadcasting Corporation for hearing be, and it is hereby, amended to include the application of W. J. Ravenscroft, et al. and to add issue No. 7 set forth above.*

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4169; Filed, May 7, 1948;  
8:53 a. m.]

[Docket Nos. 8927, 8928]

GOOD NEIGHBOR BROADCASTING CO. AND  
METROPOLITAN BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR  
CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Joe Olivares, Manuel Leal and L. E. Richards d/b as Good Neighbor Broadcasting Company, San Antonio, Texas, Docket No. 8927, File No. BP-6563; Metropolitan Broadcasting Company, Alamo Heights, Texas, Docket No. 8928, File No. BP-6661; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications each requesting a permit to construct a new standard broadcast station,

at the places specified above, to operate on the frequency 1240 kc, with 250 w power, unlimited time;

*It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:*

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners and of the applicant corporation, Metropolitan Broadcasting Company, its officers, directors and stockholders to construct and operate their proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4165; Filed, May 7, 1948;  
8:53 a. m.]

[Docket Nos. 8929, 8930]

BEATRICE BROADCASTING CO. AND BLUE  
VALLEY BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of Beatrice Broadcasting Company, Beatrice, Nebraska, Docket No. 8930, File No. BP-6648; Blue Valley Broadcasting Company, Beatrice, Nebraska, Docket No. 8929, File No. BP-6274; for construction permits.

At a session of the Federal Communications Commission, held at its offices in



Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications each requesting a permit to construct a new standard broadcast station in Beatrice, Nebraska on the frequency 1450 kc, with 250 w power, unlimited time.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, each upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4166; Filed, May 7, 1948;  
8:53 a. m.]

[Docket Nos. 8935-8937]

MISSISSIPPI VALLEY BROADCASTING CO.  
ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Edgar B. Stern, Edgar B. Stern, Edgar B. Stern, Jr. and Philip M. Stern d/b as Mississippi Valley Broadcasting Co. New Orleans, Louisiana, Docket No. 8935, File No. BPCT-310;

Loyola University, New Orleans, Louisiana, Docket No. 8936, File No. BPCT-359; New Orleans Television Company, New Orleans, Louisiana, Docket No. 8937, File No. BPCT-367; for construction permits for television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the New Orleans, Louisiana metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that the above-entitled applications for construction permits for television broadcast stations exceed in number the unassigned channels allocated to the New Orleans, Louisiana metropolitan district under § 3.606 of the Commission's rules and regulations;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4156; Filed, May 7, 1948;  
8:51 a. m.]

[Docket Nos. 8952, 8953]

ADVERTISERS PRESS, INC., AND BOOTH  
RADIO STATION, INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Advertisers Press, Inc., Flint, Michigan, Docket No. 8952, File No. BPCT-346; Booth Radio Station, Inc., Flint, Michigan, Docket No. 8953, File No. BPCT-393; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of April 1948;

The Commission having under consideration the above-entitled applications each requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the Flint, Michigan metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that each of the above-entitled applications for a construction permit for a television broadcast station requests unlimited time operation on Channel No. 11 and are therefore mutually exclusive;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in



this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4158; Filed, May 7, 1948;  
8:52 a. m.]

[Docket Nos. 8954-8957]

WISCONSIN BROADCASTING SYSTEM, INC.,  
ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of Wisconsin Broad-  
casting System, Inc., Milwaukee, Wiscon-  
sin, Docket No. 8954, File No. BPCT-377;  
Hearst Radio, Inc., Milwaukee, Wiscon-  
sin, Docket No. 8955; File No. BPCT-  
383; Kapital Broadcasting Company,  
Milwaukee, Wisconsin, Docket No. 8956,  
File No. BPCT-401; WEXT, Inc., Milwau-  
kee, Wisconsin, Docket No. 8957, File No.  
BPCT-406; for construction permits for  
television stations.

At a session of the Federal Communi-  
cations Commission held at its offices in  
Washington, D. C., on the 29th day of  
April 1948;

The Commission having under consid-  
eration the above-entitled applications  
each requesting a construction permit  
for a television broadcast station to op-  
erate unlimited time on a television  
channel allocated to the Milwaukee metropoli-  
tan district under § 3.606 of the  
Commission's rules and regulations; and

It appearing, that the above-entitled  
applications for construction permit for  
television broadcast stations exceed in  
number the unassigned channels allo-  
cated to the Milwaukee metropolitan  
district under § 3.606 of the Commission's  
rules and regulations;

It is ordered, That pursuant to section  
309 (a) of the Communications Act of  
1934, as amended, the above-entitled  
applications are designated for hearing  
in a consolidated proceeding at a time  
and place to be designated by the Com-  
mission upon the following issues:

1. To determine the legal, technical,  
financial and other qualifications of the  
applicant to operate and construct the  
proposed station.

2. To obtain full information with re-  
spect to the nature and character of the  
proposed program service.

3. To determine the areas and popula-  
tions which may be expected to receive  
service from the proposed station.

4. To determine whether the operation  
of the proposed station would involve  
objectionable interference with any other  
existing television broadcast stations  
and, if so, the nature and extent thereof,  
the areas and populations affected there-  
by, and the availability of other televi-  
sion broadcast service to such areas and  
populations.

5. To determine whether the operation  
of the proposed station would involve ob-  
jectionable interference with the services  
proposed in any other pending applica-

tions for television broadcast facilities  
and, if so, the nature and extent thereof,  
the areas and populations affected there-  
by, and the availability of other television  
broadcast service to such areas and popu-  
lations.

6. To determine whether the installa-  
tion and operation of the proposed sta-  
tion would be in compliance with the  
Commission's rules governing television  
broadcast stations, and its Standards of  
Good Engineering Practice Concerning  
Television Broadcast Stations.

7. To determine on a comparative  
basis which, if any, of the applications in  
this consolidated proceeding should be  
granted.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4157; Filed, May 7, 1948;  
8:51 a. m.]

[Docket Nos. 8958, 8959]

BADGER BROADCASTING CO. AND RADIO  
WISCONSIN, INC.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of Badger Broad-  
casting Company, Madison, Wisconsin,  
Docket No. 8958, File No. BPCT-332;  
Radio Wisconsin, Inc., Madison, Wiscon-  
sin, Docket No. 8959, File No. BPCT-410;  
for construction permits for television  
stations.

At a session of the Federal Communi-  
cations Commission held at its offices in  
Washington, D. C., on the 29th day of  
April 1948;

The Commission having under consid-  
eration the above-entitled applica-  
tions each requesting a construction per-  
mit for a television broadcast station at  
Madison, Wisconsin to operate, unlimited  
time, on television Channel No. 9 (186-  
192 mc); and

It appearing, that the above-entitled  
applications for construction permits for  
television broadcast stations are mutu-  
ally exclusive because each applicant re-  
quests full-time operation on the same  
television channel;

It is ordered, That pursuant to section  
309 (a) of the Communications Act of  
1934, as amended, the above-entitled ap-  
plications are designated for hearing in  
a consolidated proceeding at a time and  
place to be designated by the Commission  
upon the following issues:

1. To determine the legal, technical,  
financial and other qualifications of the  
applicant to operate and construct the  
proposed station.

2. To obtain full information with re-  
spect to the nature and character of the  
proposed program service.

3. To determine the areas and popula-  
tions which may be expected to receive  
service from the proposed station.

4. To determine whether the opera-  
tion of the proposed station would in-  
volve objectionable interference with  
any other existing television broadcast  
stations and, if so, the nature and extent

thereof, the areas and populations af-  
fected thereby, and the availability of  
other television broadcast service to such  
areas and populations.

5. To determine whether the opera-  
tion of the proposed station would in-  
volve objectionable interference with the  
services proposed in any other pending  
applications for television broadcast fa-  
cilities and, if so, the nature and extent  
thereof, the areas and populations af-  
fected thereby, and the availability of  
other television broadcast service to such  
areas and populations.

6. To determine whether the installa-  
tion and operation of the proposed  
station would be in compliance with the  
Commission's rules governing television  
broadcast stations, and its Standards of  
Good Engineering Practice Concerning  
Television Broadcast Stations.

7. To determine on a comparative  
basis which, if any, of the applications  
in this consolidated proceeding should  
be granted.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4159; Filed, May 7, 1948;  
8:52 a. m.]

[Docket Nos. 8968-8970]

WHEC, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of WHEC, Inc.,  
Rochester, New York, Docket No. 8968,  
File No. BPCT-326; WARC, Inc., Roches-  
ter, New York, Docket No. 8969, File No.  
BPCT-337; Meredith Publishing Com-  
pany, Rochester, New York, Docket No.  
8970, File No. BPCT-439; for construc-  
tion permits for television stations.

At a session of the Federal Communi-  
cations Commission held at its offices  
in Washington, D. C., on the 29th day  
of April 1948;

The Commission having under consid-  
eration the above-entitled applica-  
tions each requesting a construction per-  
mit for a television broadcast station to  
operate unlimited time on a television  
channel allocated to the Rochester, New  
York metropolitan district under § 3.606  
of the Commission's rules and regula-  
tions; and

It appearing, that the above-entitled  
applications for construction permits for  
television broadcast stations exceed in  
number the unassigned television chan-  
nels allocated to the Rochester metro-  
politan district;

It is ordered, That pursuant to section  
309 (a) of the Communication Act of  
1934, as amended, the above-entitled ap-  
plications are designated for hearing in  
a consolidated proceeding at a time and  
place to be designated by the Commis-  
sion upon the following issues:



1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-4160; Filed, May 7, 1948;  
8:52 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6135]

LAKE ELECTRIC CORP.

NOTICE OF APPLICATION

MAY 4, 1948.

Notice is hereby given that Lake Electric Corporation, Franklin, Vermont, has filed an application pursuant to section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to export electric energy across the international boundary between the United States and Canada over transmission lines from the Town of Highgate, Vermont, in an amount of 120,000 kilowatt hours, annually, at a rate of supply of 36 kilowatts.

Any person desiring to be heard or to make any protest with reference to the said application should, on or before May 21, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-4128; Filed, May 7, 1948;  
8:46 a. m.]

No. 91—4

[Docket No. G-1018]

OHIO FUEL GAS CO.

ORDER FIXING DATE OF HEARING

MAY 4, 1948.

Upon consideration of the application filed March 15, 1948, by The Ohio Fuel Gas Company (Applicant), an Ohio corporation with its principal place of business at Columbus, Ohio, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, and also for an order approving and permitting the abandonment and removal of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)), of the Commission's rules of practice and procedure, applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protests or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 31, 1948 (13 F. R. 1778-9).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on May 20, 1948, at 9:30 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N.W., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: May 4, 1948.

By the Commission.

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-4127; Filed, May 7, 1948;  
8:45 a. m.]

## INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 813]

GOLDBERG BUILDING MATERIAL CO.  
EMBARGOED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of May A. D. 1948.

It appearing, that Goldberg Building Material Corporation and Goldberg Building Material & Supply Co., Troy, N. Y., have persistently and are now indulging in the practice of holding loaded freight cars an unreasonable time before unloading them; that the railroads have placed various embargoes against the said companies, but they have disregarded their own embargoes; that such practices are impeding the use of freight cars, thus contributing to the existing general shortage of such cars; in opinion of the Commission an emergency requiring immediate action exists at Troy, Green Island, Albany, Cohoes, and Waterford, New York: It is ordered, that:

(a) *Shipments to, or for Goldberg Building Material Corporation and Goldberg Building Material & Supply Co. embargoed.* The Boston and Maine Railroad, The Delaware and Hudson Railroad Corporation, and The New York Central Railroad Company shall not accept from shippers or connecting railroads a loaded freight car or cars consigned or reconsign direct to, or advise Goldberg Building Material Corporation and Goldberg Building Material & Supply Co.; nor shall said named carriers deliver or place for delivery any car or cars consigned or reconsign direct to, or advise Goldberg Building Material Corporation and Goldberg Building Material & Supply Co., their agents or employees at any point or station within the switching limits of Troy, Green Island, Cohoes, Albany, and Waterford, New York, on or after the effective date hereof.

(b) *Special and general permits.* This order shall be subject to any special or general permits issued at the discretion of the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., authorizing a departure therefrom, upon recommendation of G. C. Randall, 30 Vesey Street, New York (7), N. Y.

(c) *Effective date.* This order shall become effective at 12:01 a. m., May 5, 1948.

(d) *Expiration date.* This order shall expire at 11:59 p. m., September 9, 1948, unless modified, changed, suspended, or annulled by order of the Commission.

It is further ordered, that Service Order No. 813 be vacated on the effective date hereof; that copies of this order and direction shall be served upon the railroads specified in paragraph (a) hereof and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-4137; Filed, May 7, 1948;  
8:47 a. m.]



# SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1030]

CENTRAL AND SOUTH WEST CORP.

## FINDINGS AND ORDER GRANTING APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of May A. D. 1948.

In the matter of application by the New York Curb Exchange for unlisted trading privileges in Central and South West Corporation, common stock, \$5.00 par value. File No. 7-1030.

The New York Curb Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the common stock, \$5.00 par value, of Central and South West Corporation, 902 Market Street, Wilmington 99, Delaware.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on The Chicago Stock Exchange; that the geographical area deemed to constitute the vicinity of the New York Curb Exchange for the purpose of this application is the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania and Ohio; that out of a total of 6,484,948 shares outstanding, 3,175,334 shares are owned by 9,664 shareholders in the vicinity of the New York Curb Exchange; and that in the vicinity of the New York Curb Exchange transactions were effected in 844,100 shares of this security on the New York Curb Exchange during the period from February 21, 1947 to November 15, 1947, during which time the security was admitted to trading on the New York Curb Exchange as a security temporarily exempt from the operation of Section 12 (a) of the Securities Exchange Act of 1934 pursuant to the provisions of Rule X-12A-5 thereunder;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered*, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the New York Curb Exchange for permission to extend unlisted trading privileges to the common stock, \$5.00 par value, of Central and South West Corporation be, and the same is, hereby granted.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.[F. R. Doc. 48-4130; Filed, May 7, 1948;  
8:46 a. m.]

[File No. 70-1755]

OKLAHOMA GAS AND ELECTRIC CO.

## ORDER GRANTING AMENDED APPLICATION AND DECLARATION AND PERMITTING THEM TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the third day of May 1948.

The Commission having issued its orders dated March 19, 1948 and April 7, 1948, granting and permitting to become effective an application-declaration, as amended, regarding the issue and sale by Oklahoma Gas and Electric Company ("Oklahoma") of 65,000 shares of new cumulative preferred stock, 5¼% Series, par value \$100 per share, and including, among other things, the proposal of the management of Oklahoma to submit to its stockholders for their approval, at the next stockholders' annual meeting on May 20, 1948, an amendment to the Company's Articles of Incorporation proposing to vest, forthwith, the holders of shares of the new preferred stock, with the same special voting rights upon default of dividends as are now held by the holders of Oklahoma's presently outstanding 4% Cumulative Preferred Stock; and

Oklahoma having filed a further amendment to its application-declaration, setting forth the solicitation material it proposes to employ in the solicitation of the holders of its outstanding 4% Cumulative Preferred Stock and common stock regarding the aforesaid proposal to amend the Company's Articles of Incorporation, and having designated section 6 (a) (2) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-62 promulgated thereunder as applicable to the proposed transactions; and

The Commission finding that the requirements of section 7 (e) of the act and Rule U-62 promulgated thereunder are satisfied and that no adverse findings are necessary and the Commission deeming it appropriate and in the interest of investors that said application-declaration, as amended, with respect to the said solicitation of the holders of the 4% Preferred Stock and common stock of Oklahoma be granted and permitted to become effective forthwith:

*It is hereby ordered*, That the application, as amended, and the declaration, as amended, be and the same hereby are, respectively, granted, and permitted to become effective, forthwith, subject however to the requirements of Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.[F. R. Doc. 48-4133; Filed, May 7, 1948;  
8:46 a. m.]

[File No. 70-1766]

KENTUCKY WEST VIRGINIA GAS CO. AND  
LOUISVILLE GAS AND ELECTRIC CO. (KY.)

## ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of April 1948.

In the matter of Kentucky West Virginia Gas Co., Louisville Gas and Electric Company, a Kentucky Corporation. File No. 70-1766.

A joint declaration having been filed with this Commission pursuant to sections 6 (a), 7, 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935 ("act"), and the General Rules and Regulations promulgated thereunder, by Kentucky West Virginia Gas Company ("Kentucky Gas") and Louisville Gas and Electric Company ("Louisville G&E"), a Kentucky corporation (Kentucky Gas being a direct subsidiary of Philadelphia Company and an indirect subsidiary of Louisville Gas and Electric Company, a Delaware corporation, both of which are registered holding companies, and Louisville G&E being a subsidiary of Louisville Gas and Electric Company, a Delaware corporation, a registered holding company), regarding the following proposed transactions:

Kentucky Gas proposes to purchase and retire all of its outstanding Five Per Cent Cumulative First Preferred Stock at the par value thereof (\$2,937,500) plus accumulated dividends, if any, unpaid at the date of purchase. All of such stock is owned by Louisville G & E, which Company proposes to sell it to Kentucky Gas at such price.

The funds required for the purchase are proposed to be obtained by Kentucky Gas through temporary bank loans, evidenced by promissory notes maturing 12 months from date of issuance and bearing interest at the rate of 1¾% per annum. Such promissory notes are to be issued to The Farmers Deposit National Bank of Pittsburgh (\$1,800,000) and the Mellon National Bank and Trust Company (\$1,200,000). The excess proceeds, if any, after payment of expenses (estimated at \$4,500) will be added to the general corporate funds of Kentucky Gas.

Declarants state that there is no State Commission having jurisdiction over the proposed transactions.

The declarants having requested that the Commission's order be issued as soon as possible permitting the declaration to become effective forthwith, and that such order include appropriate recitals pursuant to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code; and

Said declaration having been filed on March 5, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration, within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable sections of



the act and the rules thereunder with respect to the proposed transactions are satisfied and observing no basis for adverse findings thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers to permit said declaration to become effective, and deeming it appropriate to grant the request of declarants that the order become effective forthwith:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of the Act, and subject to the terms and conditions prescribed in Rule U-24, that said joint declaration be, and the same hereby is, permitted to become effective forthwith.

It is further ordered and recited, and the Commission finds that the immediate sale for cash by Louisville G&E of its holding of 29,375 shares of Five Per Cent Cumulative First Preferred Stock of Kentucky Gas at the par value thereof plus accrued dividends to Kentucky Gas, a member of the same system group, is necessary or appropriate to the integration or simplification of the holding company system of which Louisville G&E is a member and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 48-4131; Filed, May 7, 1948;  
8:46 a. m.]

[File No. 70-1794]

#### NEW YORK STATE ELECTRIC & GAS CORP.

#### SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of May A. D. 1948.

New York State Electric & Gas Corporation ("NYSEG"), a subsidiary of General Public Utilities Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, wherein NYSEG proposes to issue and sell \$5,500,000 principal amount of First Mortgage Bonds, ----% Series, due April 1, 1978, and 35,000 shares of \$100 par value ----% Cumulative Preferred Stock, the gross proceeds to be realized from the sale thereof to be applied toward meeting the cost of construction and improvement of facilities of the company; and

The Commission having by order dated April 26, 1948, granted said application, as amended, subject to the conditions, among others, that (1) NYSEG obtain from the Public Service Commission of the State of New York a final order expressly authorizing the issue and sale of said bonds and preferred stock, and (2) the proposed issuance and sale of securities not be consummated until the results of the competitive bidding, pursuant to Rule U-50, have been made a matter of record in the proceeding and a further order shall have been entered in the light of the record so completed, jurisdiction being reserved for this purpose, and

the Commission having reserved jurisdiction over the payment of the fee and expenses of independent counsel for prospective underwriters; and

NYSEG having filed a further amendment to its application, as amended, in which it is stated that on April 1, 1948, NYSEG issued an unsecured promissory note for \$750,000 to a commercial bank which bears interest at the rate of 1¼% per annum, and is due on or before ninety days from the date thereof, the proceeds of which have been or will be applied toward the cost of new construction, and that part of the proceeds realized from the sale of said bonds will be employed to discharge said unsecured promissory note, and in which is contained a final order of the Public Service Commission of the State of New York authorizing the issue and sale of the bonds and in which, in accordance with the permission granted by said order of the Commission dated April 26, 1948, it has offered its bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Price to the company	Interest rate	Cost to the company
		Per-	Per-
		cent	cent
Halsey, Stuart & Co., Inc.	100.3299	3.000	2.9833
Kidder, Peabody & Co., and Salomon Bros. & Hutzel	102.33	3.125	3.0066
Union Securities Corp.	102.33	3.125	3.0066
The First Boston Corp. and Glorie, Forgan & Co.	102.15	3.125	3.0156
Lehman Bros.	102.1399	3.125	3.0161
Harriman, Ripley & Co., Inc.	101.9799	3.125	3.0241
Hemphill, Noyes & Co., and Drexel & Co.	101.4377	3.125	3.0515

The amendment further stating that NYSEG has accepted the bid of Halsey, Stuart & Co. Inc. for the first mortgage bonds as set out above and that the bonds will be offered for sale to the public at a price of 100.75%, resulting in an underwriter's spread of 0.4201%; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters:

*It is ordered*, That the application, as amended, be granted and that the jurisdiction heretofore reserved with respect to the results of competitive bidding for the first mortgage bonds be, and the same hereby is, released, subject, however, to the terms and conditions prescribed in Rule U-24 and to the other conditions and reservations of jurisdiction set forth in the order dated April 26, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-4134; Filed, May 7, 1948;  
8:46 a. m.]

[File No. 70-1828]

#### NORTH AMERICAN CO.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 3d day of May 1948.

Notice is hereby given that The North American Company ("North American"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act"). North American designates sections 12 (c) and 12 (d) of the act and Rules U-23, U-44, and U-46 of the general rules and regulations promulgated thereunder as being applicable to the proposed transactions and North American further considers that Rule U-43 may be applicable thereto.

Notice is further given that any interested person may, not later than May 18, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized below:

North American proposes to distribute on July 1, 1948, in partial liquidation to its holders of common stock of record as of June 4, 1948, shares of common stock of Wisconsin Electric Power Company ("Wisconsin"), having a par value of \$10.00 per share, owned by North American. Such distribution is proposed to be made at the rate of 3 shares of common stock of Wisconsin for each 100 shares of common stock of North American held. No certificates will be issued for fractions of shares of stock of Wisconsin, but, in lieu thereof, cash will be paid with respect to such numbers of shares as would be entitled to less than a full share of Wisconsin at the rate of \$16.125 per share of Wisconsin, this rate being based on the approximate market price of such stock at the close of the market on April 26, 1948, such payment being the equivalent of 48½ cents per share of common stock of North American entitled to be paid such cash. North American estimates that the proposed transactions will involve the distribution of approximately 239,599 shares of common stock of Wisconsin and approximately \$283,474 in cash in lieu of fractions of such stock.

In connection with the proposed distribution, North American proposes to charge to Capital Surplus an amount aggregating the carrying value of the shares of Wisconsin common stock to be distributed and the cash to be paid in lieu of fractional shares, together with the expenses of such distribution. North American estimates that the carrying value of the shares of Wisconsin common stock to be distributed will be ap-



proximately \$2,965,843. North American states that sufficient Capital Surplus for this purpose will be provided by transferring from Earned Surplus to Capital Surplus an equivalent amount.

North American has requested that the Commission enter an order permitting the declaration to become effective on or before May 21, 1948 and that such order become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-4132; Filed, May 7, 1948;  
8:46 a. m.]

## UNITED STATES TARIFF COMMISSION

[List No. 1 (E)]

G. B. RAFFETTO, INC.

APPLICATION FOR RELIEF FROM ALLEGED  
THREAT OF INJURY DUE TO INCREASED IM-  
PORTS OF MARRONS

MAY 4, 1948.

Application as listed below has been filed with the United States Tariff Commission for investigation under the provisions of Part I, Executive Order 9832 of February 25, 1947.

Name of article	Purpose of request	Date received	Name and address of applicant
Marrons; candied, crystallized, or glacé, or prepared or preserved in any manner. (Tariff Par. 756.)	Relief from alleged threat of injury due to increased imports resulting from the concession granted in the General Tariff and Trade Agreement.	Apr. 20, 1948	G. B. Raffetto, Inc., 44 Hubert St., New York 13, N. Y.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,  
Secretary.

[F. R. Doc. 48-4124; Filed, May 7, 1948;  
8:45 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10379, Amdt.]

HAMAKUA SHOKWAI, LTD., ET AL.

In re: Stock in Hamakua Shokwai, Ltd., owned by Tokuchi Hamada and others. D-39-18684-D-1, F-39-6007-D-1.

Vesting Order 10379, dated December 19, 1947, is hereby amended as follows and not otherwise:

By deleting from subparagraph 4 thereof the words and figures, one hundred forty-nine (149), and substituting therefor the words and figures, one hundred fifty-five (155) and also by deleting the figures 10 and 5 appearing opposite Certificate Numbers 180 and 275 respectively and substituting therefor the figures 20 and 1 respectively.

All other provisions of said Vesting Order 10379 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-4153; Filed, May 7, 1948;  
8:51 a. m.]

[Vesting Order 9272, Amdt.]

YOTARO FUJINO

In re: Stock and a bank account owned by Yotaro Fujino. F-39-1507-D-2, F-39-1507-E-1.

Vesting Order 9272, dated June 27, 1947, is hereby amended as follows and not otherwise:

By deleting the figures 183.97 appearing in subparagraph 2-a thereof and substituting therefor the figures 184.24.

All other provisions of said Vesting Order 9272 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-4152; Filed, May 7, 1948;  
8:51 a. m.]

[Dissolution Order 77]

STAPLE FIBER CORP.

Whereas by Vesting Order No. 1585, dated May 29, 1943 (8 F. R. 9076, July 2, 1943), there were vested all the issued and outstanding shares of \$100.00 par value preferred capital stock (500), and 51 of the 100 issued and outstanding shares of no-par value common capital stock of Staple Fiber Corporation, a New York corporation; and by said vesting order there were undertaken the direction, management, supervision and control of said Staple Fiber Corporation; and

Whereas the remaining 49 shares of issued and outstanding no-par-value common stock are owned by a citizen of the United States, to wit: Henry Ernstberger; and

Whereas Staple Fiber Corporation has been substantially liquidated; and

Whereas the certificate of incorporation filed by the corporation states:

Upon dissolution of the corporation, and distribution of its assets, the Preferred Stock shall be paid in full at par before any amount shall be paid on account of the Common Stock, and the Common Stock shall be entitled to receive all assets remaining after such payment to the Preferred Stock;

and

Now, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim, if any, as the Attorney General of the United States may have for money advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved, and that its assets be distributed, and a Certificate of Dissolution having been issued, upon application of the Attorney General of the United States and Henry Ernstberger, as sole stockholders of the corporation, by the Secretary of State of the State of New York; and

3. Finding that the total assets of the corporation, as presently carried on its books, in the approximate amount of \$2,647.25, are insufficient to pay in full the balance in the amount of \$34,000.00 due to the Attorney General of the United States as the holder of all of the issued and outstanding preferred stock of the corporation, liquidating dividends, totalling \$16,000 having been previously paid to the pre-vesting owner of the preferred stock;

hereby orders that the officers and directors of Staple Fiber Corporation (to wit: Francis J. Carmody, President-Treasurer and Director; Henry Ernstberger, Vice President and Director; Robert Kramer, Secretary; and L. M. Reed, Director, and their successors, or any one of them), continue the proceedings for the dissolution of Staple Fiber Corporation; and further orders that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the Attorney General of the United States all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied, first, in satisfaction of such claim, if any, as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the Attorney General of the United States as holder of all the issued and outstanding preferred capital stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing



the right under the Trading with the Enemy Act, as amended, of any person who may have a claim against said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder; *Provided, however*, that nothing herein contained shall be construed as creating additional rights in such person: *Provided, further*, That any such claim against said corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the said officers and directors of Staple Fiber Corporation pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and

Claimant	Claim No.	Property
Jean Jobert, 44 Rue du Colisee, Paris, France.	6457	Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 3502 (9 F. R. 6123, June 6, 1944) relating to compositions listed in "Extrait du Catalogue de Jean Jobert, Editeur" (attached as Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$161,167.41.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID E. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4120; Filed, May 6, 1948  
9:01 a. m.]

[Vesting Order 11104]

GEORGE F. BERGER

In re: Estate of George F. Berger, deceased. File No. D-28-11627; E. T. sec. 15840.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Berger, Charlotte (Lottie) Gloede, Rudolph Silberman and Elizabeth Cordua, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of George F. Berger, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Harold Sawyer, as Executor, acting under the judicial supervision of the Probate Court of Milwaukee County, Wisconsin;

the acquittance and exculpation provided therein.

Executed at Washington, D. C., this 3d day of May 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4116; Filed, May 6, 1948;  
9:00 a. m.]

JEAN JOBERT

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservation expenses:

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4147; Filed, May 7, 1948;  
8:50 a. m.]

ROKUBEI SHIGA ET AL.

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended,

notice is hereby given of intention to return, on or after 30 days from the date of publication hereof the following property, located in the Treasury of the United States, Washington, D. C., subject to any increase or decrease resulting from the administration of such property prior to return and after adequate provision for taxes and conservation expenses:

Claimant	Claim No.	Property
Rokubei Shiga or Tona Shiga, 1732 Kealia St., Honolulu, T. H.	11547	\$101.06
Miss Haruko Sugimoto, 1965 Dillingham Blvd., Honolulu 12, T. H.	11549	379.84
Miss Fujii Sugitara, 1930 Hanu Lane, Honolulu 45, T. H.	11550	177.86
Miss Natsu Teramoto, 1706 Oo Lane, Honolulu, T. H.	11552	34.34
Matsu Teramoto, guardian of Itsuo Teramoto, 1706 Oo Lane, Honolulu, T. H.	11553	7.30
Mr. Takeichi Tokuda, 1961 Kaliki St., Honolulu, T. H.	11554	30.78
Kumachi Tomonari or Taka Tomonari, 1433 Liona Pl., Honolulu 46, T. H.	11555	9.02
Tamekichi Une, dba T. Une Mattress Factory, 744 Panul St., Honolulu, T. H.	11557	2,009.65
Oto Uyehara, 1755 Puowaina Dr., Honolulu 6, T. H.	11558	510.54
Kyozo Yanagi and/or Miyano Yanagi, P. O. Box 512, Wailuku, Maui, T. H.	11561	108.77
Jotetsu Yashiro, guardian of Shigeru Yashiro, 1108 Peterson Lane, Honolulu 7, T. H.	11562	519.97
Mrs. Tsuru Yasutake or Mrs. Hanako Yamada (formerly Hanako Yano), 1021 D 7th Ave., Honolulu 47, T. H.	11563	333.90
Miss Iseno Nakamura, 216 N. Bereania St., Honolulu, T. H.	11564	51.79
Miss Tsugio Akahoshi, 822 8th Ave., Honolulu, T. H.	11813	270.52
Mrs. Kikuyo Goto, guardian of Satoshi Goto, 442-A Cooke St., Honolulu, T. H.	11816	222.22
Kume Higuchi, 1010 McCully St., Honolulu, T. H.	11818	552.62
Sakae Hirabayashi or Asano Ishibashi, 1107 Kapahulu Ave., Honolulu 41, T. H.	11819	193.14
Mrs. Misao Hirai, 2052 C South King St., Honolulu 27, T. H.	11820	281.63
Yoshiko Horibata or Masato Horibata, P. O. Box 559, Waiialua, Oahu, T. H.	11822	1,058.20
Mr. Shinichiro Ige, Waiialua Ranch, Honolulu, T. H.	11823	30.44
Mrs. Shigeko Inukai, guardian of Fumiko Koike, formerly Fumiko Inukai, 1208 Nuuanu Ave., Honolulu 22, T. H.	11824	552.47
Mrs. Shigeko Inukai, Guardian of Shizuko Yamamoto, formerly Shizuko Inukai, 3552 Aloha Ave., Honolulu 40, T. H.	11825	552.47
S. Takaki or Miyako Takaki, 2132-B Algaroba St., Honolulu 27, T. H.	11828	479.66
Miss Masuno Mito, 1030 Noble Lane, Honolulu 7, T. H.	11829	75.46
Masuno Mito, trustee for Yasuo Mito, 1030 Noble Lane, Honolulu 7, T. H.	11830	67.65
Iwao Oki or Sadako Oki, 1620 Leilehua Lane, Honolulu, T. H.	11835	21.39
Mr. Tsunekichi Okikawa, 835-A South Beretania St., Honolulu, T. H.	11836	60.00
Mr. Niwa Takayasu, 821 Kapaakea Lane, Honolulu, T. H.	11839	202.07
Daishiro Takiguchi, guardian of Kaneichi Takiguchi, 3117 Moheau St., Honolulu, T. H.	11840	15.28
Daishiro Takiguchi, guardian of Sakae Takiguchi, 3117 Moheau Ave., Honolulu, T. H.	11841	6.00
Daishiro Takiguchi, guardian of Tokuo Takiguchi, 3117 Moheau Ave., Honolulu, T. H.	11842	15.28
Mr. Yukuo Uyehara, 23-A Muhiwai Lane, Honolulu, T. H.	11845	110.03
Mr. Kingo Inokuchi, 604 N. Vineyard St., Honolulu, T. H.	11981	897.62
Miyoko Iwamoto or Yutaka Iwamoto, 2111-A Booth Rd., Honolulu 23, T. H.	11982	1,000.00
Kanesaku Kasakawa or Ikuyo Kasakawa, Camp 9, Wahiawa, Oahu, T. H.	11984	1,340.63
Mrs. Haru Kawamoto, 928 B Ahana Lane, Honolulu, T. H.	11985	883.53
Miss Hisa Kawano, 2342 Pio Pl., Honolulu, T. H.	11986	28.15
Mr. Noboru Kinoshita, 1206 Kinau St., Honolulu, T. H.	11987	82.29



Claimant	Claim No.	Property
Mr. Shinkichi Miyashita, 1320 Alexander St., Honolulu, T. H.	11988	\$121.76
Yaeko Okubo, formerly Yaeko Nakamura, 1511 Chung Hoon Lane, Honolulu, T. H.	11989	65.83
Kunisaburo Nanamori or Masao Nanamori, P. O. Box 67, Maunaloa, Molokai, T. H.	11990	1,482.74
Mr. Masayuki Okabayashi, 1714-A Eluwene St., Honolulu 12, T. H.	11991	214.42
Kakui Okada, guardian of Koji Okada, 4321 Waiolae Ave., Honolulu 55, T. H.	11992	504.51
Miss Takane Okawa, 918-A Naopala Lane, Honolulu 35, T. H.	11993	14.47
Mr. Motoji Okura, 912 K Austin Lane, Honolulu, T. H.	11994	22.91
Miss Mitsui Ouchi, 1542 Kalawala Lane, Honolulu, T. H.	11996	116.26
Daisiro Takiguchi, guardian of Jitsuehi Takiguchi, 3117 Moheau St., Honolulu, T. H.	12000	59.72
Tadachi Takiguchi, P. O. Box 146, Ewa, Oahu, T. H.	12001	57.47
Mr. Kango Yamato, P. O. Box O, Honolulu, T. H.	16182	14,733.85
Tomoaki Ito or Tame Ito, 449 Koula St., Honolulu 13, T. H.	11067	14.88
Yoji Ito, guardian of Reiko Ito, P. O. Box 194, Wahiawa, Oahu, T. H.	11068	4.79
Mr. Saichiro Iwamoto or Mrs. Tomo Iwamoto, P. O. Box 368, Waiolua, Oahu, T. H.	11070	843.38
Mr. Kamekichi Kabayama, 146 Corkscrew Lane, Honolulu 43, T. H.	11072	65.87
Mrs. Tomo Kabei, P. O. Box 34, Waiolua, Oahu, T. H.	11073	535.43
Miss Katsu Kaneishi, 408 Koula St., Honolulu, T. H.	11074	2.34
Mr. Teichi Kaneishi, 408 Koula St., Honolulu, T. H.	11075	560.07
Miss Taki Kawashima, 2642 Pamooa Rd., Honolulu 5, T. H.	11080	108.40
Haruno Kitaoka, Kahuku, Oahu, T. H.	11082	112.56
Miss Uta Kiyabu, 3756 Campbell Ave., Honolulu, T. H.	11083	15.17
Mrs. Asayo Kobayashi, P. O. Box 35, Hahi, Hawaii, T. H.	11084	527.05
Miss Nao Kojima, 1219 Alewa Dr., Honolulu, T. H.	11085	301.73
Yukihide Kohatsu, also known as Dr. Y. Kohatsu, 1651 Young St., Honolulu 19, T. H.	11087	284.04
Miss You Komagata, 1578 Nuuanu St., Honolulu, T. H.	11088	46.47
Shotaro Kozaki or Masanori Kozaki, 1150 Kam IV Rd., Honolulu, T. H.	11090	101.15
Miss Katsuno Kunikiyo, 1111 Fort St., Honolulu, T. H.	11091	1,305.08
Mrs. Riyo Ariyoshi, P. O. Box 33, Puunene, Maui, T. H.	12490	708.14
Mr. Fukuichi Fukuda, Hanapepe, Kauai, T. H.	12491	206.59
Mr. Shinichi Hamada, P. O. Box 385, Hakalau, Hawaii, T. H.	12492	203.00
Mr. Chuzi Hirano, P. O. Box 15, Lanai City, Lanai, T. H.	12493	75.76
Mr. Hyakubun Ikehara, P. O. Box 44, Maunaloa, Molokai, T. H.	12494	1,030.51
Shoichi Itakura or Ai Itakura, P. O. Box 1355, Honolulu, T. H.	12495	24.56
Mr. Tokuechi Izumi, Kaneohe, Oahu, T. H.	12496	285.42
Mrs. Sato Shigehiro Kimura or Yukio Kimura, P. O. Box 146, Kilauea, Kauai, T. H.	12499	304.66
Asayo Kumagai, guardian of Satoru Kumagai, 1223 Piikoi St., Honolulu, T. H.	12500	204.84
Ichi Moriguchi, guardian of Kenji Moriguchi, 346 No. Kuakini St., Honolulu, T. H.	12503	131.53
Teizo Moriguchi, guardian for Shigeo Moriguchi, 346 No. Kuakini St., Honolulu, T. H.	12504	40.09
Itaro Moriyama or Haruko Moriyama, 1440 Iao Lane, Honolulu, T. H.	12505	57.83
Umeko Nishi or Toyo Nishi, 564 N. King St., Honolulu 18, T. H.	12508	2,768.06
Toyo Nishi, 564 N. King St., Honolulu 18, T. H.	12509	1,010.00
Kijiro Sumida or Toshio Sumida, Eleele, Kauai, T. H.	12514	1,867.74
Mr. Tatsuzo Tango, Kula, Hawaii, T. H.	12515	27.53
Masayuki Tokioka, guardian of Marjorie Mitsuko Tokioka, c/o National Mortgage & Finance Co., Ltd., 1030 Smith St., Honolulu, T. H.	12516	34.24
Mr. Jiechi Tonokawa, Honohina, Hakalau, T. H.	12517	119.50
Mr. Kunio Yokoyama, P. O. Box 45, Hahaione, Kona, Hawaii, T. H.	12519	1,040.47
Mr. Sadao Zenigami, Kilauea, Kauai, T. H.	12520	254.18
Mr. Chutaro Fujimoto, P. O. Box 210, Honokaa, Hawaii, T. H.	12521	8.83

Claimant	Claim No.	Property
Matsu Yamashiro, who is the sole owner of Yamashiro Products, 1257 River St., Honolulu, T. H.	12522	\$300.00
Mr. Tami Matsuyama, P. O. Box 447, Wailuku, Maui, T. H.	27219	30.04
Miss Saki Abe, 1743 Dillingham Blvd., Honolulu, T. H.	27461	30.27
Toshichi Anamizu or Chino Anamizu, 1730 Algaroba St., Honolulu, T. H.	27468	670.43
Shunichi Arizumi, guardian of Sumire Violet Arizumi, 82 Palal St., Hilo, Hawaii, T. H.	27469	39.57
Mrs. Hana Hagihara or Haruo Hagihara, 210-A Priory Lane, Honolulu, T. H.	27471	111.18
Tetsuzo Hondo or Mrs. Tone Hondo, Kaheka, Palis, Maui, T. H.	27472	337.75
Mr. Shigeo Hori, 946 Kaheka Lane, Honolulu 46, T. H.	27474	750.73
T. S. Yanagihara, sole owner of Kakaako Cash Store, 767 Pohukaina St., Honolulu, T. H.	27475	878.22
Seiko Kakazu, guardian of Kiyoshi Kakazu, 4226-E Ahuwa Pl., Honolulu, T. H.	27477	11.33
Seiko Kakazu, guardian of Tsuyako Kakazu, 4226-E Ahuwa Pl., Honolulu 55, T. H.	27478	11.33
Mrs. Kimiyu Katayama 622 G. Aalpa Lane, Honolulu, T. H.	27479	319.07
Rieomon Katayama or Mrs. Fuyumi Katayama, P. O. Box 124, Kilauea, T. H.	27480	609.80
Taka Kawamura or Noboru Kawamura, 1737 Waiola St., Honolulu, T. H.	27481	1,403.23
Mr. Shushin Mayeshiro, 408 N. Vineyard St., Honolulu, T. H.	27484	62.49
Masuno Mito, guardian of Mrs. Margaret Miyoko Maeda (formerly Miyoko Mito) 521 A-3 Hiram Lane, Honolulu, T. H.	27485	64.06
Masuno Mito, guardian of Mrs. Satsue Stella Sale (formerly Satsue Mito), 1327 F Pansacola St., Honolulu, T. H.	27486	43.40
Miss Hatsuyo Momoki, 743 Pume-hana St., Honolulu 27, T. H.	27488	12.74
S. Makishima, also known as Shizuka Makishima, agent for S. Murakami, 61 North Hotel St., Honolulu, T. H.	27489	278.02
Miss Hiro Nakamoto, P. O. Box 2595, Honolulu, T. H.	27490	82.48
Mr. Matsuzo Nakamoto, P. O. Box 2595, Honolulu, T. H.	27491	255.32
Miss Kimi Nakamura, 1674 Kino St., Honolulu, T. H.	27492	25.60
Mr. Chochiki Ohashi, 34 Circle Dr., Wahiawa, Oahu, T. H.	27494	695.60
Miss Misuyo Otake, 588 J Road, Damon Tract, Honolulu, T. H.	27499	473.07
Mr. Tamotsu Uyemura, P. O. Box 5, Spreckelsville, Maui, T. H.	27503	52.26
Mr. Kenichiro Wada, 20 Makawee St., Wahiawa, Oahu, T. H.	27505	480.15
Kame Yanagihara and Tsunesuke Yanagihara, 767 Pohukaina St., Honolulu, T. H.	27507	941.72
Mr. Tsunesuke Yanagihara, 767 Pohukaina St., Honolulu, T. H.	27509	1,019.93
Mrs. Kiyo Yokoyama or Miss Miyuki Yokoyama, 901 Kuilei Lane, Honolulu, T. H.	27510	457.97
Miyuki Yokoyama or Mrs. Kiyo Yokoyama, 901 Kuilei Lane, Honolulu, T. H.	27511	3,086.13
Mr. Senjiro Otoshi, c/o Oda Store, Kamele, Hawaii, T. H.	27512	162.32
Mizuno Aoki, guardian of Haruto Aoki, 2530 Kalakaua Ave., Honolulu 30, T. H.	29081	35.03
Takeo Akazawa or Mitsuko Akazawa, 3832-A Pukalani Pl., Honolulu, T. H.	29082	3.25
Kunisaburo Akasawa or Sumiyo Akasawa, P. O. Box 325, Makaweli, Kauai, T. H.	29083	1,224.00
Miss Umiko Ajifu, Kaneohe, Oahu, T. H.	29084	10.50
Y. Agano a/k/a, Mr. Yuichi Agano, 639 North King St., Honolulu, T. H.	29085	11.56
Sanokichi Ono, sole owner of Asahi Bakery, 223 S. Beretania St., Honolulu, T. H.	29086	876.28
Miss Momoyo Asayama, 824 Bannister St., Honolulu, T. H.	29087	1,197.26
Mr. Sakae Endo, 253 N. Vineyard St., Honolulu, T. H.	29090	166.57
Miss Shizu Fukumoto, 707 Panui St., Honolulu, T. H.	29091	79.74
Mr. Tokusaburo Fukuda, 846-A Fohukaina St., Honolulu, T. H.	29092	133.19
Tome Fukunaga, guardian of Toshie Fukunaga, 1321 Peleula Lane, Honolulu, T. H.	29093	12.41
Kanae Kajiwara, guardian for Takashi Kajiwara, 4225 Ahuwa Pl., Honolulu, T. H.	29095	5.00
Itaro Hashida or Taki Hashida, P. O. Box 145, Pearl City, Oahu, T. H.	29098	10.09

Claimant	Claim No.	Property
Miss Miwa Hashiguchi, 832 S. Hotel St., Honolulu, T. H.	29099	\$5.50
C. Hashimoto, guardian of Sachiko Hashimoto, 1048 Alapai St., Honolulu, T. H.	29100	1.04
Mrs. Sen Hashimoto, 2136 Houghtaling Rd., Honolulu, 29, T. H.	29101	2,512.73
Kikuyo Homareda, trustee for Takako Homareda, 2225 Pauoa Rd., Honolulu, T. H.	29102	45.41
Mr. Shigeru Hirotsu, Kahuku, Oahu, T. H.	29104	181.92
Kikuyo Homareda, trustee for Kyoko Homareda, 2225 Pauoa Rd., Honolulu, T. H.	29105	33.03
Kishi Hamada or Wakako Hsaka, nee Wakako Hamada, 2006 Fern St., Honolulu, T. H.	29107	306.59
Mr. Toshiyo Hirata, 1830 Palolo Ave., Honolulu, T. H.	29108	4.03
Kikuyo Homareda, trustee for Kazuyoshi Homareda, 2225 Pauoa Rd., Honolulu, T. H.	29109	34.39
Tamano Iguchi, guardian of Kazuyoshi Iguchi, 766-A Lanikai St., Honolulu 13, T. H.	29100	15.28
Tamano Iguchi, trustee for Mikayo Iguchi or Peggy Mikay Iguchi, 766-A Lanikai St., Honolulu 13, T. H.	29111	10.79
Mr. Mankichi Ishimura, 1733 Kapalama Ave., Honolulu, T. H.	29112	25.03

Executed at Washington, D. C., on April 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4121; Filed, May 6, 1948; 9:01 a. m.]

[Vesting Order 11071]

ICHIHITO TATSUMI ET AL.

In re: Debts owing to Ichitaro Tatsumi and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That each person whose name and last known address are listed in Exhibit A, attached hereto and by reference made a part hereof, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Those certain debts or other obligations owing to the persons whose names are listed in Exhibit A by The Yokohama Specie Bank, Ltd., Los Angeles Office, Los Angeles, California, and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of the accounts described opposite the names of said persons, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in Exhibit A are not within a



designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt

with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

## EXHIBIT A

Name and last known address	Description of account	File No.
Ichitaro Tatsumi, Kosaki, Ina-Mura, Aichi-Gun, Shiga-Prefecture, Japan.	Fixed deposit account No. 68216.....	D-39-16877-E-1.
Tokiji Taira, also known as T. Taira, Shiohoma, Yokkaichi, Miye-ken, Japan.	Commercial checking account entitled T. Taira, aka Tokiji Taira.	F-39-2827-E-1.
Katsumi Kawashima, Japan.	Demand deposit account No. 61534.....	F-39-4317-E-1.
Hatsuehiro Himemiyu, Japan.	Fixed deposit account No. 69069.....	D-39-4353-E-1.
Morikazu Kakishita, Japan.	Checking account entitled Morikazu Kakishita.	D-39-5516-E-1.
Noboru Tsuda, also known as F. N. Tsuda, Japan.	Commercial checking account entitled F. N. Tsuda.	D-39-17146-E-1.

[F. R. Doc. 48-4146; Filed, May 7, 1948; 8:50 a. m.]

[Vesting Order 10896 Amdt.]

LOUIS A. SIEVERS

In re: Estate of Louis A. Sievers, deceased. File D-28-8836; E. T. sec. 10857.

Vesting Order 10896, dated March 15, 1948, is hereby amended as follows and not otherwise:

By deleting the name "Wilhelm Sievers, Jr.," appearing in subparagraph 1 of said Vesting Order 10896, and substituting therefor the name "Wilhelm Sievers".

All other provisions of said Vesting Order 10896 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4154; Filed, May 7, 1948; 8:51 a. m.]

[Vesting Order 11109]

ANNA MUELLER

In re: Estate of Anna Mueller, deceased. File No. D-17-693; E. T. sec. 16215.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Julius Reckziegel, Walter Hillebrand, Mrs. Mariechen Brosz (called Mrs. Mariechen Brosz in decedent's will), also known as Marie Brosche, and Oscar Hillebrand, whose last known address is Germany, are res-

idents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them in and to the estate of Anna Mueller, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Federal Trust Company and William C. Frey, as executors, acting under the judicial supervision of the Orphans' Court, Essex County, New Jersey;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4149; Filed, May 7, 1948; 8:50 a. m.]

[Vesting Order 11106]

KATHERINE SCHWEIER KLING

In re: Estate of Katherine Schweier Kling, a/k/a Katherine Schweier, deceased. File F-28-22231; E. T. sec. 15469.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Theresia Meier, nee Hug, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Katherine Schweier Kling, a/k/a Katherine Schweier, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Harry Rabwin, as Administrator and Administrator c. t. a., acting under the judicial supervision of the Superior Court, State of California, County of Los Angeles;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4148; Filed, May 7, 1948; 8:50 a. m.]

UNITED AIRCRAFT PRODUCTS, INC.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:



Claimant	Claim No.	Property
United Aircraft Products, Inc., Dayton, Ohio.	A-369	Property described in Vesting Order No. 664 (8 F. R. 4989, Apr. 17, 1943), relating to United States Letters Patent Nos. 1,772,707; Re. 18,721 and 2,048,598.

Executed at Washington, D. C., on  
April 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4122; Filed, May 6, 1948;  
9:01 a. m.]

[Vesting Order 11116]

WALTER E. FRITSCH

In re: Debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Walter E. Fritsch, deceased. F-28-2193-C-1, F-28-2193-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Walter E. Fritsch, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees of Walter E. Fritsch, deceased, by American Express Company, 65 Broadway, New York, New York, in the amount of \$400.00, as of December 31, 1945, evidenced by those certain American Express Company Travelers Cheques numbered R 2707739 and R 2757520/22 of \$100.00 face value each, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of The City of New York evidenced by certificates numbered 1293 V-13 and 636 W-12 of \$2,000.00 par or face value each, representing 4½% Corporate Stock of The City of New York, Issue of January 24, 1911, due September 1, 1960, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, and all rights in and under the aforesaid Stock of the City of New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Walter

E. Fritsch, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Walter E. Fritsch, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on  
April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 48-4150; Filed, May 7, 1948;  
8:50 a. m.]

[Vesting Order 11156]

WILHELM MEYER ET AL.

In re: Bond and mortgage, claim and interest in property insurance policy owned by Wilhelm Meyer and the personal representatives, heirs, next of kin, legatees and distributees, names unknown of Auguste Faigle, also known as Augusta Faigle, deceased.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Meyer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Auguste Faigle, also known as Augusta Faigle, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. A mortgage executed on June 1, 1928 by Marie Anna Langer to Augusta Faigle and recorded on July 18, 1928 in the Office of the Town Clerk of the Town of Stamford, Fairfield County, Connecticut, in Book 352 at page 301 of the Stamford Land Records, and any and all obligations, including interest due and unpaid, secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, the right to enforce and collect such obligations and the right to possession of any and all notes, bonds and other instruments evidencing such obligations, and

b. All right, title and interest of the persons identified in subparagraphs 1 and 2 hereof, in and to Fire Insurance Policy No. 4446, issued by the Phoenix Insurance Company, Hartford, Connecticut, which policy expires on or about June 4, 1949, and insures the property subject to the mortgage described in subparagraph 3-a hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Auguste Faigle, also known as Augusta Faigle, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 3-a and 3-b hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on  
April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

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8:50 a. m.]